

# FEDERAL REGISTER

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## TITLE 6—AGRICULTURAL CREDIT

### Chapter II—Production and Marketing Administration (Commodity Credit)

[1946 C. C. C. Soybean Bulletin I (Loan)]

#### PART 257—SOYBEAN LOANS AND PURCHASES

##### SUBPART 1946

This bulletin states the requirements with respect to the 1946 Soybean Loan Program formulated by Commodity Credit Corporation (hereinafter referred to as CCC), and the Production and Marketing Administration. Loans will be made available on soybeans produced in 1946 (hereinafter referred to as the "commodity") in accordance with this bulletin.

- Sec.
- 257.85 Administration of program.
- 257.86 Availability of loans.
- 257.87 Approved lending agencies.
- 257.88 Eligible producer.
- 257.89 Eligible commodity.
- 257.90 Eligible storage.
- 257.91 Approved forms.
- 257.92 Determination of quantity.
- 257.93 Determination of foreign material and dockage.
- 257.94 Liens.
- 257.95 Service fees.
- 257.96 Set-offs.
- 257.97 Basic loan rates.
- 257.98 Interest rate.
- 257.99 Transfer of producer's equity.
- 257.100 Safeguarding of the commodity.
- 257.101 Insurance.
- 257.102 Loss or damage to the commodity.
- 257.103 Personal liability.
- 257.104 Maturity and satisfaction.
- 257.105 Removal of the commodity.
- 257.106 Release of the commodity.
- 257.107 Storage allowance.
- 257.108 Purchase of notes.
- 257.109 Office of Director of Grain Branch.

**AUTHORITY:** §§ 257.85 to 257.109, inclusive, issued under Article Third, par. (b) of Corporate Charter of Commodity Credit Corporation; sec. 7 (a), 49 Stat. 4, as amended, sec. 4 (a), 55 Stat. 498, 56 Stat. 768; 15 U. S. C. and Sup. 713 (a), 713a-8 (a).

§ 257.85 *Administration of program.* The program will be administered by the county agricultural conservation committees under the general supervi-

sion of the respective State committees. Forms may be obtained from county committees, or from the office of the Director of the Grain Branch, 208 South LaSalle Street, Chicago 4, Illinois. State and county committees will determine or cause to be determined the quantity and grade of the commodity and the amount of the loan. All loan documents will be completed and approved by the county committee, which will retain copies of all documents: *Provided, however,* That the county committee may designate in writing certain employees of the county agricultural conservation association to execute such forms on behalf of the committee. The county committee will furnish the borrower with the names of local lending agencies approved for making disbursements on loan documents, or with the address of the Director of the Chicago Office of the Grain Branch to which loan documents may be forwarded for disbursement.

§ 257.86 *Availability of loans—(a) Area.* Loans will be made available to eligible producers on soybeans stored on the farm in approved storage facilities in the States of Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin, and other States as may be approved by CCC except that loans will not be made on soybeans in Alabama, Arkansas, Connecticut, Florida, Georgia, Louisiana, Maine, Massachusetts, Mississippi, New Hampshire, Oklahoma, Rhode Island, South Carolina, Texas, and Vermont.

(b) *Time.* Loans will be available from harvest through January 31, 1947.

§ 257.87 *Approved lending agencies.* An approved lending agency shall be any bank, cooperative marketing association, corporation, partnership, individual, or other legal entity with which CCC has entered into a Lending Agency Agreement (Form PMA-97) or other lending agency agreement prescribed by CCC.

§ 257.88 *Eligible producer.* An eligible producer shall be an individual,

(Continued on p. 159)

## CONTENTS

<b>Agriculture Department</b>	Page
See also Commodity Credit Corporation.	
Rules and regulations:	
Food imports; cocoa (WFO 63-20)-----	175
Price decontrol and recontrol; filing of decontrol petitions---	175
<b>Alien Property, Office of</b>	
Rules and regulations:	
Rules of procedure; copy of process required in certain cases-----	175
<b>Civilian Production Administration</b>	
Notices:	
Consent order; Albert Mariano.	188
Rules and regulations:	
Suspension orders:	
Luepnitz, Joseph W.-----	180
Richard, Ben C.-----	180
Thompson and Smith, and John S. Cook-----	180
<b>Commodity Credit Corporation</b>	
Rules and regulations:	
Barley loans, 1946-----	163
Seed loans and purchases, 1946 (2 documents)-----	168, 170
Soybean loans and purchases, 1946 (3 documents)---	157, 160, 162
<b>Customs Bureau</b>	
Rules and regulations:	
Articles conditionally free, subject to reduced rate, etc.; baggage (Corr.)-----	177
<b>Defense Transportation, Office of</b>	
Rules and regulations:	
Rail equipment, conservation; refrigerator cars containing portable heaters-----	182
Exception-----	182
<b>Federal Communications Commission</b>	
Notices:	
Citizens' Radiocommunication Service; notice to manufacturers and others interested in developing and constructing equipment-----	186





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## NOTICE

General notices of proposed rule making, published pursuant to section 4 (a) of the Administrative Procedure Act (Pub. Law 404, 79th Cong.; 60 Stat. 238), which were carried under "Notices" prior to January 1, 1947, are now presented in a new section entitled "Proposed Rule Making". Relationship of these documents to material in the Code of Federal Regulations, formerly shown by cross reference under the appropriate Title, is now indicated by a bold-face citation in brackets at the head of each document.

## CONTENTS—Continued

Federal Communications Commission—Continued	Page
Notices—Continued	
FM broadcast operations, 42-44 megacycles; cessation.....	185
Hearings, etc.:	
Columbia Broadcasting System, Inc.....	186
Diathermy equipment, medical and industrial heating equipment.....	187
Northwestern Theological Seminary and Bible Training School.....	186
Revised frequency service allocations (3 documents).....	185, 186
Motions Commissioner, designation.....	186

## RULES AND REGULATIONS

### CONTENTS—Continued

Federal Communications Commission—Continued	Page
Proposed rule making:	
Radio broadcast services; miscellaneous amendments.....	183
Radio service; channel width and modulation and frequency stability:	
Railroad.....	184
Utility.....	184
Rules and regulations:	
Organization and practice and procedure; safety and special services division.....	181
Radio broadcast services:	
Exemption from existing rules; extension of order.....	181
International broadcast stations; termination of licenses.....	182
<b>Federal Power Commission</b>	
Notices:	
Hearings, etc.:	
Consolidated Gas Utilities Corp.....	188
Hope Natural Gas Co.....	188
Phebus Pipe Line Co.....	188
<b>Fish and Wildlife Service</b>	
Rules and regulations:	
Bowdoin National Wildlife Refuge; establishment, etc.....	182
<b>Housing Expediter, Office of</b>	
Rules and regulations:	
Premium payments:	
Brick, sand-lime.....	177
Invalidation of claims for violations of OPA price ceilings occurring prior to Nov. 10, 1946.....	177
<b>Interstate Commerce Commission</b>	
Rules and regulations:	
Reports of motor carriers; Annual Report Form A.....	182
<b>Land Management, Bureau of</b>	
Notices:	
California; classification order.....	185
Rules and regulations:	
Alaska; revocation of order reserving certain lots in Federal addition to town site of Seaward.....	181
Montana; exclusion of certain lands from Bowdoin National Wildlife Refuge.....	181
<b>Price Administration, Office of</b>	
Rules and regulations:	
Chemicals, drugs, and paints (SR 14F, Am. 27).....	180
<b>Securities and Exchange Commission</b>	
Notices:	
Hearings, etc.:	
American Gas and Electric Co. et al.....	187
Philadelphia Co. et al.....	188
<b>War Department</b>	
Rules and regulations:	
Military areas, establishment; Hanford Military Area.....	175

## CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such in parentheses.

Title 3—The President	Page
Chapter II—Executive Orders:	
4625 <sup>1</sup> .....	181
7295 <sup>2</sup> .....	181
8592 <sup>2</sup> .....	181
<b>Title 6—Agricultural Credit</b>	
Chapter II—Production and Marketing Administration (Commodity Credit):	
Part 257—Soybean loans and purchases (3 documents).....	157, 160, 162
Part 264—Barley loans.....	163
Part 274—Seed loans and purchases (2 documents).....	168, 170
<b>Title 7—Agriculture</b>	
Subtitle A—Office of the Secretary:	
Part 7—Price decontrol and reconrol.....	175
Chapter XI—Production and Marketing Administration (War Food Distribution Orders):	
Part 1596—Food imports.....	175
<b>Title 8—Aliens and Nationality</b>	
Chapter II—Office of Alien Property:	
Part 501—Rules of procedure.....	175
<b>Title 10—Army: War Department</b>	
Chapter X—Areas restricted for national defense purposes:	
Part 1005—Establishment of military areas.....	175
<b>Title 19—Customs Duties</b>	
Chapter I—Bureau of Customs:	
Part 10—Articles conditionally free, subject to reduced rate, etc.....	177
<b>Title 24—Housing Credit</b>	
Chapter VIII—Office of Housing Expediter:	
Part 805—Premium payments regulations under Veterans' Emergency Housing Act, 1946 (2 documents).....	177
<b>Title 32—National Defense</b>	
Chapter IX—Office of Temporary Controls, Civilian Production Administration:	
NOTE: Regulations and orders appearing under this chapter are listed only in the Table of Contents, <i>supra</i> .	
Chapter XI—Office of Temporary Controls, Office of Price Administration:	
NOTE: Regulations and orders appearing under this chapter are listed only in the Table of Contents, <i>supra</i> .	
<b>Title 43—Public Lands: Interior</b>	
Chapter I—Bureau of Land Management:	
Appendix—Public land orders:	
336.....	181
337.....	181
<sup>1</sup> P. L. O. 337.	
<sup>2</sup> P. L. O. 336.	



## CODIFICATION GUIDE—Con.

Title 47—Telecommunication	Page
Chapter I—Federal Communications Commission:	
Part 1—Organization and practice and procedure.....	181
Part 3—Radio broadcast services (2 documents).....	181, 182
Proposed rule making.....	183
Part 16—Railroad radio service (proposed).....	184
Part 17—Stations in utility radio service (proposed).....	184
Title 49—Transportation and Railroads	
Chapter I—Interstate Commerce Commission:	
Part 205—Reports of motor carriers.....	182
Chapter II—Office of Defense Transportation:	
Part 500—Conservation of rail equipment.....	182
Part 520—Conservation of rail equipment; exceptions and permits.....	182
Title 50—Wildlife	
Chapter I—Fish and Wildlife Service:	
Part 11—Establishment, etc., of national wildlife refuges.....	182

partnership, association, corporation, or other legal entity producing the commodity in 1946, as landowner, landlord, tenant, or share cropper.

§ 257.89 *Eligible commodity.* Soybeans eligible for loans shall be of any class grading No. IV or better with respect to factors other than moisture, and having a moisture content not in excess of 14 percent, which were produced in 1946, the beneficial interest in which is in the producer and has always been in him or in him and a former producer whom he succeeded before the soybeans were harvested. Soybeans grading weevily, musty, sour, or which are heating or have any objectionable foreign odor, shall not be eligible for loan.

§ 257.90 *Eligible storage.* Eligible farm storage shall include structures meeting the requirements for safe storage as prescribed by the Field Service Branch.

§ 257.91 *Approved forms.* The approved forms constitute the loan documents which govern the rights and responsibilities of the producer, and should be read carefully. Any fraudulent representation made by a producer in obtaining a loan or in executing any of the loan documents will render him subject to prosecution under the United States Criminal Code.

(a) Approved forms for farm storage shall consist of producer's notes on C. C. C. Commodity Form A, secured by chattel mortgages on C. C. C. Commodity Form AA.

(b) Notes and chattel mortgages must be dated on or before January 31, 1947, and executed in accordance with these instructions, with State and documentary revenue stamps affixed thereto where required by law. Notes and chat-

tel mortgages executed by an administrator, executor, or trustee, will be acceptable only where legally valid.

§ 257.92 *Determination of quantity.* Loans shall be made at values expressed in cents per bushel. A bushel shall be 60 pounds of soybeans free of dockage and foreign material in excess of 2 percent when determined by weight, or 1.25 cubic feet of soybeans testing 60 pounds per bushel, when determined by measurement. In determining the quantity of soybeans by measurement the following adjustment shall be made, fractional pounds of the test weight being disregarded:

For soybeans testing	Percent
60 pounds or over.....	100
59 pounds or over but less than 60.....	98
58 pounds or over but less than 59.....	97
57 pounds or over but less than 58.....	95
56 pounds or over but less than 57.....	93
55 pounds or over but less than 56.....	92
54 pounds or over but less than 55.....	90
53 pounds or over but less than 54.....	88
52 pounds or over but less than 53.....	87
51 pounds or over but less than 52.....	85
50 pounds or over but less than 51.....	83
49 pounds or over but less than 50.....	82

§ 257.93 *Determination of foreign material and dockage.* Dockage and foreign material other than dockage, which, singly or in combination total 2 percent or less shall not be deducted from the gross weight of the soybeans. If the total weight of foreign material and dockage combined is in excess of 2 percent, the excess shall be deducted from the total gross weight of soybeans in the determination of the net number of bushels of soybeans. For the purpose of this determination, dockage shall be computed in whole percents. Less than 1 percent actual dockage shall be disregarded and fractional percentages in excess of 1 percent shall be rounded to the next lower whole percent. Foreign material percentages shall be stated in tenths.

§ 257.94 *Liens.* The commodity must be free and clear of all liens and encumbrances, or if liens or encumbrances exist on the commodity, proper waivers must be obtained.

§ 257.95 *Service fees.* Where the commodity is farm-stored the producer shall pay a service fee of 1 cent per bushel.

§ 257.96 *Set-offs.* A producer who is listed on the county debt register as indebted to any agency or corporation of the United States Department of Agriculture shall designate the agency or corporation to which he is indebted as the payee of the proceeds of the loan to the extent of such indebtedness, but not to exceed that portion of the proceeds remaining after deduction of the service fees and amounts due prior lien-holders. Indebtedness owing to the CCC shall be given first consideration after claims of prior lien-holders.

§ 257.97 *Basic loan rates.* Basic loan rates, and settlement values where applicable, for the designated grades and subclasses are set out in 1946 C. C. C. Soybean Bulletins 1, Supplement 1.

§ 257.98 *Interest rate.* Loans shall bear interest at the rate of 3 percent per

annum; and interest shall accrue from the date of disbursement of the loan, notwithstanding the printed provisions of the note.

§ 257.99 *Transfer of producer's equity.* The right of the producer to transfer his right to redeem the commodity or his remaining interest may be restricted by CCC.

§ 257.100 *Safeguarding of the commodity.* The producer is obligated to maintain the farm-storage structures in good repair, and to keep the commodity in good condition.

§ 257.101 *Insurance.* CCC will not require the producer to insure the commodity placed under farm-storage loan; however, if the producer does insure such commodity such insurance shall inure to the benefit of CCC to the extent of its interest, after first satisfying the producer's equity in the commodity involved in the loss.

§ 257.102 *Loss or damage to the commodity.* The producer is responsible for any loss in quantity or quality to farm-stored commodity, except that uninsured physical loss or damage occurring without fault, negligence, or conversion on the part of the producer resulting solely from an external cause other than insect infestation or vermin will be assumed by CCC, provided the producer has given the county committee immediate notice in writing of such loss or damage, and provided there has been no fraudulent representation made by the producer in the loan documents or in obtaining the loan.

§ 257.103 *Personal liability.* The making of any fraudulent representation by the producer in the loan documents or in obtaining the loan, or the conversion or unlawful disposition of any portion of the commodity by him, shall render the producer personally liable for the amount of the loan and for any resulting expense incurred by any holder of the note.

§ 257.104 *Maturity and satisfaction.* Loans mature on demand but not later than April 30, 1947. In the case of farm-storage loans, the producer is required to pay off his loan on or before maturity date, or to deliver the mortgaged commodity within 60 days after maturity date. Credit will be given for the total quantity delivered, provided it was stored in the cribs or bins in which the commodity under loan was stored, at the applicable settlement rate, according to grade and/or quality. If the settlement value of the commodity delivered exceeds the amount due on the loan, the amount of the excess shall be paid to the producer. If the settlement value of the commodity is less than the amount due on the loan, the amount of the deficiency, plus interest shall be paid by the producer to CCC, and may be set off against any payment which would otherwise be made to the producer under any agricultural programs administered by the Secretary of Agriculture, or any other payments which are due or may become due to the producer from Commodity Credit Corporation or any other agency of the United States. In the event the



farm is sold or there is a change of tenancy, the commodity may be delivered before the maturity date of the loan upon prior approval by the county committee.

§ 257.105 *Removal of the commodity.* If the loan is not satisfied upon maturity by payment or delivery, the holder of the note may remove the commodity and sell it, either by separate contract or after pooling it with other lots of the same commodity similarly held. The producer has no right of redemption after the commodity is pooled, but shall share ratably in any overplus remaining upon liquidation of the pool. The Commodity Credit Corporation shall have the right to treat a pooled commodity as a reserve supply to be marketed under such sales policies as CCC determines will promote orderly marketing, protect the interests of producers and consumers, and not unduly impair the market for the current crop of the commodity, even though part or all of such pooled commodity is disposed of under such policies at prices less than the current domestic price for such commodity. Any sum due the producer as a result of the sale of the commodity or of insurance proceeds thereon, or any ratable share resulting from the liquidation of a pool, shall be payable only to the producer without right of assignment by him.

§ 257.106 *Release of the commodity.* A producer may obtain release of the commodity by paying to the holder of the note, or note and loan agreement, the principal amount thereof, plus interest. If the note is held by an out-of-town lending agency or by Commodity Credit Corporation, the producer may request that the note be forwarded to a local bank for collection. In such case, where Commodity Credit Corporation is the holder of the note, the local bank will be instructed to return the note if payment is not affected within 15 days. All charges in connection with the collection of the note shall be paid by the producer. Upon payment of a farm-storage loan, the county committee should be requested to release the mortgage by filing an instrument of release or by a marginal release on the county records. Partial releases of the commodity may be arranged with the county committee by paying to the holder of the note the amount of the loan, plus charges and accrued interest, represented by the quantity of the commodity to be released.

§ 257.107 *Storage allowance.* No storage allowance shall be advanced at the time any farm-stored loan is made but a storage payment of 7 cents per bushel shall be made to the producer (a) if the soybeans are delivered to CCC on or after April 30, 1947, or (b) if, pursuant to demand by CCC for the repayment of the loan, the soybeans are delivered to the CCC prior to April 30, 1947, provided such demand for repayment was not due to any fraudulent representation on the part of the producer or to the fact that the soybeans or any part thereof, were converted, damaged, threatened with damage, abandoned, or otherwise impaired: If delivery is made

prior to April 30, 1947, at the request of the producer with the consent or approval of CCC, a storage payment will be made on the quantity delivered in accordance with the following schedule, provided, the producer has not made any fraudulent representation, herein, in the chattel mortgage, or in connection with the loan:

6 cents per bushel if delivered during the month of April 1947.  
5 cents per bushel if delivered during the month of March 1947.  
4 cents per bushel if delivered during the month of February 1947.  
3 cents per bushel if delivered during the month of January 1947.  
2 cents per bushel if delivered during the month of December 1946.

No storage payment shall be earned if the soybeans are delivered prior to December 1946.

In the case of losses assumed by CCC, CCC will pay the producer the full storage payment of 7 cents per bushel for the soybeans lost, regardless of when the loss occurs.

§ 257.108 *Purchase of notes.* Commodity Credit Corporation will purchase, from approved landing agencies, notes evidencing approved loans which are secured by chattel mortgages or negotiable warehouse receipts. The purchase price to be paid by Commodity Credit Corporation will be the principal sums remaining due on such notes, plus accrued interest from the date of disbursement to the date of the purchase at the rate of 1½ percent per annum. Lending agencies are required to submit a weekly report to CCC and to the county committees on 1940 C. C. C. Form F, or such other form as CCC may prescribe, of all payments received on producer's notes held by them, and are required to remit promptly to CCC an amount equivalent to 1½ percent interest per annum, on the amount of the principal collected, from the date of disbursement to the date of payment. Landing agencies should submit notes and reports to the Grain Branch office serving the area.

§ 257.109 *Office of Director of Grain Branch.* The address of the office of the Director of the Grain Branch administering this loan program is, 208 South LaSalle Street, Chicago 4, Illinois.

Date program announced, September 25, 1946.

[SEAL] C. C. FARRINGTON,  
Vice President,  
Commodity Credit Corporation.

[F. R. Doc. 47-242; Filed, Jan. 9, 1947;  
8:53 a. m.]

[1946 C. C. C. Soybean Bulletin I  
(Purchases)]

#### PART 257—SOYBEAN LOANS AND PURCHASES

##### SUBPART 1946

This bulletin states the requirements with respect to the 1946 Soybean Purchase Program formulated by Commodity Credit Corporation (hereinafter referred to as C. C. C.) and the Produc-

tion and Marketing Administration (hereinafter referred to as PMA). Purchases will be made on soybeans produced in 1946 (hereinafter referred to as "commodity") in accordance with this bulletin.

Sec.  
257.110 Administration of program.  
257.111 Availability of purchase.  
257.112 Eligible producer.  
257.113 Eligible commodity for purchase.  
257.114 Basic purchase price.  
257.115 Determination of quantity.  
257.116 Foreign material and dockage.  
257.117 Method of receiving soybeans.  
257.118 Soybeans received by country warehouses approved under the Uniform Grain Storage Agreement.  
257.119 Soybeans received by county committees.  
257.120 Grade analysis.

AUTHORITY: §§ 257.110 to 257.120, inclusive, issued under Article Third, par. (b) of Corporate Charter of Commodity Credit Corporation; sec. 7 (a) 49 Stat. 4, as amended, sec. 4 (a), 55 Stat. 498, 56 Stat. 768; 15 U. S. C. and Sup. 713 (a), 713a-8 (a).

§ 257.110 *Administration of program.* The program will be administered by the county agricultural conservation committees under the general supervision of the respective State committees. Forms may be obtained from county committees, or from the office of the Director of the Grain Branch, 208 South La Salle Street, Chicago 4, Illinois. State and county committees will determine or cause to be determined the quantity and grade of the commodity and the amount of the purchase. All purchase documents will be completed and approved by the county committee, which will retain copies of all documents: *Provided, however,* That the county committee may designate in writing certain employees of the county agricultural conservation association to execute such forms on behalf of the committee. The county committee will furnish the seller with the address of the Grain Branch office in Chicago to which purchase documents may be forwarded for disbursement.

§ 257.111 *Availability of purchase—*  
(a) *Area.* Purchases will be made in all States.

(b) *Time.* Purchases will be made from harvest through June 30, 1947.

§ 257.112 *Eligible producer.* An eligible producer shall be any individual, partnership, association, corporation, or other legal entity producing the commodity in 1946, as landowner, landlord, tenant, or share cropper.

§ 257.113 *Eligible commodity for purchase.* Soybeans eligible for purchase shall be soybeans of all classes and grades, which were produced in 1946, the beneficial interest in which is in the producer and has always been in him, or has been in him and a former producer whom he succeeded before the soybeans were harvested.

§ 257.114 *Basic purchase price.* Basic purchase prices, and settlement values where applicable, for the designated grades and subclasses are set out in 1946 C. C. C. Soybean Bulletins 1, Supplement 1.

(a) *Green damage odor.* Soybeans grading sample because of having an



odor due to green damage or being sour due to green damage shall be purchased at rates for such soybeans had such odor(s) not been present.

(b) *Out-of-condition soybeans.* Soybeans grading weevily, sour (other than because of green damage), or musty, or which are heating or have a "commercially objectionable foreign odor" shall be subject to such discounts as may be agreed upon at the time of purchase.

§ 257.115 *Determination of quantity.* Purchases shall be made at values expressed in cents per bushel. A bushel shall be 60 pounds of soybeans free of dockage and foreign material in excess of 2 percent.

§ 257.116 *Foreign material and dockage.* Dockage and foreign material other than dockage, which, singly or in combination total 2 percent or less, shall not be deducted from the gross weight of the soybeans. Therefore, a net bushel shall be considered to be 60 pounds of soybeans containing not in excess of 2 percent dockage and foreign material. If the total weight of foreign material and dockage combined is in excess of 2 percent, the excess shall be deducted from the total gross weight of soybeans in the determination of the net number of bushels of soybeans. For the purpose of this determination, dockage shall be computed in whole percents. Less than 1.0 percent dockage shall be disregarded and fractional percentages shall be disregarded. Foreign material percentages shall be stated in tenths of a percent.

§ 257.117 *Method of receiving soybeans.* (a) Country warehousemen may receive soybeans for immediate shipment to processors, terminal warehousemen having contracts with CCC, or for storage in the elevator or CCC bins. In order to receive soybeans for CCC, a country warehouseman must have executed Uniform Grain Storage Agreement (CCC Form H) and supplements thereto. Approval by the county committee must be obtained before any soybeans are placed in CCC bins.

(b) County agricultural conservation committees may receive soybeans for storage in bins owned by CCC, storage in other facilities, or for shipment. However, soybeans shall not be stored in CCC bins if other facilities are available. No car shall be loaded without prior approval from the Director of the Chicago Office of the Grain Branch.

§ 257.118 *Soybeans received by country warehouses approved under the Uniform Grain Storage Agreement.* The country warehouseman shall receive soybeans and store them in his warehouse, or in CCC bins upon prior approval of, and under supervision of, the county committee; or shall receive and grade the soybeans for sale to processors or to terminal warehousemen who have contracts with CCC. Producers shall file an offer of sale memorandum (C. C. C. Purchase Form B) with the county committee listing all lien holders and containing lien waivers, and shall designate to whom the proceeds of the soybeans sold shall be paid in the case of soybeans sold to CCC.

(a) *Storage in warehouse for CCC.* The warehouseman shall issue separate warehouse receipts for each lot of soybeans stored for CCC showing the weight, moisture, class, and grade, and all other information necessary to determine the premiums and discounts. The warehouseman shall deliver to the producer said warehouse receipt and inspection certificates or upon request of the producer, the warehouseman shall deliver such warehouse receipt and inspection certificates to the county office. The county committee shall issue the producer a non-interest-bearing sight draft for each purchase. The information on the warehouse receipt or inspection certificate shall be transferred to the sight draft. The sight draft shall be prepared in triplicate, the original given to the producer, one copy retained by the county committee, and one copy mailed on the date of issuance to the State PMA office. The State committee will review the drafts and if found to be in order shall immediately forward such drafts to the Chicago Office of the Grain Branch. The sight draft and attachments may be presented to a local bank or direct to CCC for payment. Charges shall accrue against the warehouse receipts in accordance with the Uniform Grain Storage Agreement, except that the charge for handling the soybeans in and out of the warehouse shall be 5 cents per bushel. The warehouseman shall be responsible for weights and grades to CCC.

(b) *Storage in bins owned by CCC.* Eligible soybeans containing not more than 14 percent moisture and eligible soybeans grading sample (due to green damage only) and containing not more than 14 percent moisture and reasonably free from dockage and foreign material may be stored in bins owned by CCC upon prior approval by the county committee. All soybeans stored in CCC bins must be placed in the bins under the direct supervision of the committee. Soybeans to be stored in CCC bins for CCC should be segregated according to color, except that soybeans of Classes I and II which contain a total of less than 5 percent of Classes III and IV may be considered as the same color. If necessary, soybeans of the same color but different grades may be mixed. The warehouseman shall issue scale tickets and inspection certificates showing moisture, class, grade, and percent of damage where applicable, and deliver such tickets and inspection certificates to the producer or upon request from the producer deliver such scale tickets and inspection certificates to the county office. The county committee shall issue the producer a non-interest-bearing sight draft for each purchase in an amount due the producer for the quantity, quality, class, and grade of soybeans delivered. The information on the scale tickets or inspection certificates shall be transferred to the sight draft.

§ 257.119 *Soybeans received by county committees.* In areas where there are no approved warehousemen, country warehousemen, or warehousemen's agents

available at usual shipping points or where warehousemen do not cooperate in the purchase program, the county committee or an agent designated by the county committee will receive soybeans and make immediate shipment or if necessary store in CCC bins.

Soybeans containing in excess of 14 percent moisture shall not be stored in CCC bins. However, producers may, by filing C. C. C. Purchase Form B with the county committee, deliver their soybeans for purchase to a point designated by the county committee, without first obtaining a grade determination, provided the soybeans do not have a moisture content in excess of 14 percent in the opinion of the producer and the county committee.

In the event the producer is requested by the county committee to deliver his soybeans to a point more distant than his usual delivery point for the purpose of assembling in carload lots, CCC will allow not more than 5 cents per ton per mile haul for the additional distance necessary to make such delivery. In no event shall the county committee approve payments for an additional haul in excess of 4 cents per bushel without prior approval of the Director of the Chicago Office of the Grain Branch. The approval of payment for additional mileage shall be submitted on C. C. C. Grain Form J (Revised) by the county committee to the State PMA office. The State committee will review the forms and if found to be in order shall immediately forward such forms to the Chicago Office of the Grain Branch for payment. The amount claimed for additional mileage shall not be included in the amount of the sight draft.

County committees will weigh and load soybeans into CCC bins and will obtain a representative sample which shall be forwarded to the State PMA laboratory or to an inspector licensed to grade soybeans. Upon receipt of the grade analysis which shall include an entry for all grade factors needed to determine purchase price, the county committee shall draw a non-interest-bearing sight draft in favor of the producer on CCC for the total purchase price of the beans delivered in the same manner and follow the same instructions as when the soybeans are placed in bins by the warehouseman.

§ 257.120 *Grade analysis.* Where requested by the producer the warehouseman shall furnish the producer a complete grade analysis which shall include class, grade, test weight, moisture, percentage of splits, percentage of total damage, percentage of green damage, percentage of foreign material other than dockage, percentage of brown and/or black soybeans in case green or yellow soybeans are being offered for sale, and percentage of dockage.

If the warehouse is not equipped to furnish all grade factors, a representative sample of the soybeans delivered shall be taken by the warehouseman and producer and sent to the State PMA office laboratory, or to an inspector licensed to grade soybeans, for grade determina-



tion before any payment is made to the producer.

All settlements with the producer by the county agricultural conservation committee shall be based upon an agreement as to grade factors between the warehouseman and producer.

The producer may call for another grade if, in his opinion, any grade factors furnished by the warehouseman are incorrect. In such cases, a representative sample taken by the warehouseman and producer shall be forwarded to a qualified licensed inspector for analysis, and settlement shall then be made on the basis of such analysis. The individual requesting the second grade shall pay the cost of obtaining grade determination.

Date program announced, September 25, 1946.

[SEAL] C. C. FARRINGTON,  
Vice President,  
Commodity Credit Corporation.

[F. R. Doc. 47-243; Filed, Jan. 9, 1947;  
8:54 a. m.]

[1946 C. C. C. Soybean Bulletins 1, Supp. 1]

PART 257—SOYBEAN LOANS AND PURCHASES

SUBPART—1946

Pursuant to the provisions of Article Third, paragraph (b) of the Corporate

Charter of Commodity Credit Corporation; section 7 (a) of the Act of January 31, 1935, as amended (15 U. S. C. Sup. V, 713 (a)); section 4 (a) of the Act of July 1, 1941, as amended (55 Stat. 498, 56 Stat. 768, 15 U. S. C., Sup. V, 713a-8 (a)), Commodity Credit Corporation and the Production and Marketing Administration have authorized the making of loans and purchases of soybeans produced in 1946 in accordance with the regulations in this part (1946 C. C. C. Soybean Bulletin 1 (Purchase), and 1946 C. C. C. Soybean Bulletin 1 (Loans)), §§ 257.85 to 257.120, inclusive. Such regulations are hereby supplemented as follows:

Section 257.97 *Basic loan rate*, is supplemented by adding to the end thereof the following:

(a) *Rates and specifications.* The basic loan rate per net bushel of eligible Class I (Yellow) and Class II (Green) soybeans, containing 14 percent moisture and grading No. 2 or better except for green damage in accordance with U. S. Grain Standards, stored in approved farm storage or sold and delivered to normal delivery points, shall be \$2.04 per bushel.

The basic rate of Class III (Brown), Class IV (Black) and Class V (Mixed) soybeans shall be 20 cents per bushel less than the comparable basic rate for Class I and Class II soybeans.

Mixtures of Classes I and II eligible soybeans which contain 5 percent (ac-

tual) or less of Classes III and IV soybeans and bi-colored soybeans, either singly or in combination, shall take the applicable rate for Classes I and II soybeans. If more than 5 percent of Classes III and IV and bi-colored soybeans, either singly or in combination, are contained in a mixture of eligible soybeans which otherwise would take the rate for Classes I and II soybeans, the mixture shall take the applicable rate for Classes III, IV, and V soybeans. Mixtures of green soybeans in Class I and yellow soybeans in Class II shall be disregarded for purposes of determining applicable loan rates.

(b) *Premiums and discounts.* Premiums and discounts for soybeans from the basic loan rate shall be in accordance with the attached schedule.

Section 257.114 *Basic purchase price*, is supplemented in that the purchase rates, specifications, premiums, and discounts shall be the loan rates, etc., as set forth in paragraphs (a) and (b) of § 257.97.

(Article Third, par. (b) Corporate Charter of Commodity Credit Corp.; sec. 7a, 49 Stat. 4, as amended; sec. 4a, 55 Stat. 498; 56 Stat. 768; 15 U. S. C. and Sup., 713 (a), 713a-8 (a))

Date program announced, September 25, 1946.

[SEAL] C. C. FARRINGTON,  
Vice President,  
Commodity Credit Corporation.

SCHEDULE OF PREMIUMS AND DISCOUNTS FROM BASIC LOAN AND PURCHASE PRICE FOR 1946 CROP SOYBEANS

Test weight <sup>1</sup>		Moisture <sup>2</sup>		Splits		Damage other than green (total damage minus green damage)				Green damage in excess of 3 percent total damage <sup>3</sup>	
Pounds	Cents	Percent	Cents	Percent	Cents	Percent	Cents	Percent	Cents	Percent	Cents
<i>Discounts</i>		<i>Premiums</i>		<i>Discounts</i>		<i>Discounts</i>		<i>Discounts</i>		<i>Discounts</i>	
53.0.....	1/2	Below 11.3.....	6	15.1-20.0, both incl.....	1/4	4.0.....	1/2	7.0.....	2	0.6-1.5, both incl.....	0.2
52.0.....	1	11.3-11.7, both incl.....	5	20.1-25.0.....	1/2	5.0.....	1	8.0.....	2 1/2	1.6-2.5.....	.4
51.0.....	1 1/2	11.8-12.2.....	4	25.1-30.0.....	3/4	6.0.....	1 1/2			2.6-3.5.....	.6
50.0.....	2	12.3-12.7.....	3							3.6-4.5.....	.8
49.0.....	2 1/2	12.8-13.2.....	2							4.6-5.5.....	1
		13.3-13.7.....	1							5.6-6.5.....	1.2
Below 49 pounds—No loan		Above 14.2 percent—No loan		Above 30 percent—No loan		Above 8.5 percent—No loan					
48.0.....	3			30.1-35.0, both incl.....	1	9.0.....	3	39.0.....	25	6.6-7.5.....	1.4
47.0.....	3 1/2			35.1-40.0.....	1 1/4	10.0.....	3 1/2	40.0.....	26	7.6-8.5.....	1.6
46.0.....	4			40.1-45.0.....	1 1/2	11.0.....	4	41.0.....	27	8.6-9.5.....	1.8
45.0.....	4 1/2	14.3-14.7, both incl.....	1 1/2	45.1-50.0.....	1 3/4	12.0.....	4 1/2	42.0.....	28	9.6-10.5.....	2
44.0.....	5	14.8-15.2.....	3	50.1-55.0.....	2	13.0.....	5	43.0.....	29	10.6-11.5.....	2.2
43.0.....	5 1/2	15.3-15.7.....	4 1/2	55.1-60.0.....	2 1/4	14.0.....	5 1/2	44.0.....	30	11.6-12.5.....	2.4
42.0.....	6	15.8-16.2.....	6	60.1-65.0.....	2 1/2	15.0.....	6	45.0.....	31	12.6-13.5.....	2.6
41.0.....	6 1/2	16.3-16.7.....	7 1/2	65.1-70.0.....	2 3/4	16.0.....	6 1/2	46.0.....	32	13.6-14.5.....	2.8
40.0.....	7	16.8-17.2.....	9	70.1-75.0.....	3	17.0.....	7	47.0.....	33	14.6-15.5.....	3
		17.3-17.7.....	10 1/2	75.1-80.0.....	3 1/4	18.0.....	7 1/2	48.0.....	34	15.6-16.5.....	3.2
		17.8-18.2.....	12	80.1-85.0.....	3 1/2	19.0.....	8	49.0.....	35	16.6-17.5.....	3.4
		18.3-18.7.....	14	85.1-90.0.....	3 3/4	20.0.....	8 1/2	50.0.....	36	17.6-18.5.....	3.6
		18.8-19.2.....	16	90.1-95.0.....	4	21.0.....	9	51.0.....	37	18.6-19.5.....	3.8
		19.3-19.7.....	18	95.1-100.0.....	4 1/2	22.0.....	9 1/2	52.0.....	38	19.6-20.5.....	4
		19.8-20.2.....	20			23.0.....	10	53.0.....	39	Continue 2 cents discount for each 1 percent.	
		20.3-20.7.....	22			24.0.....	10 1/2	54.0.....	40		
		20.8-21.2.....	24			25.0.....	11	55.0.....	41		
		21.3-21.7.....	26			26.0.....	12	56.0.....	42		
		21.8-22.2.....	28			27.0.....	13	57.0.....	43		
						28.0.....	14	58.0.....	44		
						29.0.....	15	59.0.....	45		
						30.0.....	16	60.0.....	46		
						31.0.....	17	61.0.....	47 1/2		
						32.0.....	18	62.0.....	49		
						33.0.....	19	63.0.....	50 1/2		
						34.0.....	20	64.0.....	52		
						35.0.....	21	65.0.....	53 1/2		
						36.0.....	22			Continue 1 1/4 cents discount for each 1 percent.	
						37.0.....	23				
						38.0.....	24				

<sup>1</sup> Round down to nearest pound. (Drop fractions.)

<sup>2</sup> Round to nearest 1/2 percent.

<sup>3</sup> Round to nearest 1 percent. (Drop fraction of .5)

[F. R. Doc. 47-244; Filed, Jan. 9, 1947; 8:53 a. m.]



[1946 C. C. C. Barley Bulletin 1]

## PART 264—BARLEY LOANS

## SUBPART—1946

This bulletin states the requirements with respect to the 1946 Barley Loan Program formulated by Commodity Credit Corporation and the Production and Marketing Administration. Loans will be made available on barley produced in 1946 (hereinafter referred to as the "commodity") in accordance with this bulletin.

- Sec.
- 264.30 Administration of program.
- 264.31 Availability of loans.
- 264.32 Approved lending agencies.
- 264.33 Eligible producer.
- 264.34 Eligible commodity.
- 264.35 Eligible storage.
- 264.36 Approved forms.
- 264.37 Determination of quantity of barley.
- 264.38 Determination of dockage.
- 264.39 Liens.
- 264.40 Service fees.
- 264.41 Set-offs.
- 264.42 Loan rates.
- 264.43 Interest rate.
- 264.44 Transfer of producer's equity.
- 264.45 Safeguarding of the commodity.
- 264.46 Insurance.
- 264.47 Loss or damage to the commodity.
- 264.48 Personal liability.
- 264.49 Maturity and satisfaction.
- 264.50 Removal of the commodity.
- 264.51 Release of the commodity.
- 264.52 Storage allowance.
- 264.53 Purchase of notes.
- 264.54 Offices of directors of Grain Branch.

**AUTHORITY:** §§ 264.30 to 264.54, inclusive, issued pursuant to Article Third, par. (b) of Corporate Charter of Commodity Credit Corporation; sec. 7 (a), 49 Stat. 4, as amended, sec. 302 (a), 52 Stat. 48, as amended, sec. 4 (b) 55 Stat. 498, 56 Stat. 768; 15 U. S. C. and Supp., 713 (a), 713a-8 (b), 7 U. S. C. 1302 (a).

**§ 264.30 Administration of program.** The program will be administered by the county agricultural conservation committees under the general supervision of the respective State committees.

Forms may be obtained from county committees in areas where loans are available, or from the office of the director of the Grain Branch serving the area. State and county committees will determine or cause to be determined the quantity and grade of the commodity and the amount of the loan. All loan documents will be completed and approved by the county committee, which will retain copies of all documents: *Provided, however,* That the county committee may designate in writing certain employees of the county agricultural conservation association to execute such forms on behalf of the committee.

The county committee will furnish the borrower with the names of local lending agencies approved for making disbursements on loan documents, or with the address of the Grain Branch office to which loan documents may be forwarded for disbursement.

**§ 264.31 Availability of loans.** Loans will be available on eligible barley stored in approved public grain warehouses or in acceptable storage structures located on farms.

(a) *Areas in which loans will be made.* Loans will be made on eligible barley stored in approved public grain warehouses wherever located.

Loans are available on eligible barley stored on farms in the following areas:

All counties in the States of Arizona, California, Colorado, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, New York, New Jersey, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, South Dakota, Tennessee, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, and in the following counties of Oklahoma and Texas:

**Oklahoma:** Alfalfa, Beaver, Beckham, Blaine, Caddo, Canadian, Cimarron, Cleveland, Comanche, Cotton, Craig, Creek, Custer, Dewey, Ellis, Garfield, Grady, Grant, Greer, Harmon, Harper, Jackson, Kay, Kingfisher, Kiowa, Lincoln, Logan, McClain, Major, Mayes, Noble, Nowata, Okfuskee, Oklahoma, Okmulgee, Osage, Ottawa, Pawnee, Payne, Pottawatomie, Roger Mills, Rogers, Texas, Tillman, Tulsa, Wagoner, Washington, Washita, Woods, and Woodward.

**Texas:** Andrews, Archer, Armstrong, Bailey, Baylor, Borden, Briscoe, Callahan, Carson, Castro, Childress, Clay, Cochran, Collingsworth, Coleman, Cottle, Crosby, Dallas, Dawson, Deaf Smith, Dickens, Donley, Fisher, Floyd, Foard, Gaines, Garza, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Haskell, Hemphill, Hockley, Howard, Hutchinson, Jones, Kent, King, Knox, Lamb, Lipscomb, Lubbock, Lynn, Martin, Mitchell, Moore, Motley, Nolan, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Runnels, Scurry, Shackelford, Sherman, Stonewall, Swisher, Taylor, Terry, Throckmorton, Wheeler, Wichita, Wilbarger, Yoakum, and Young.

(b) *Time.* Loans shall be available from harvest through December 31, 1946.

**§ 264.32 Approved lending agencies.** An approved lending agency shall be any bank, cooperative marketing association, corporation, partnership, individual, or other legal entity with which the Commodity Credit Corporation has entered into a Lending Agency Agreement (Form PMA-97) or other lending agency agreement prescribed by Commodity Credit Corporation.

**§ 264.33 Eligible producer.** An eligible producer shall be any individual, partnership, association, corporation, or other legal entity producing the commodity in 1946, as landowner, landlord, tenant, or share cropper.

**§ 264.34 Eligible commodity.** Barley of any class grading No. 5 or better which was produced in 1946, the beneficial interest in which is now in the producer and always has been in him, or has been in him and a former producer whom he succeeded before the barley was harvested, shall be eligible as collateral for such loans. Barley grading tough, stained, blighted, smutty, garlicky, weevily, ergot, or bleached shall not be eligible for loan.

(a) *When stored on farms.* Barley stored on the farm must have been stored in the granary at least 30 days prior to its inspection for measurement, sampling, and sealing, except as approved by State committees and regional directors of the Field Service Branch of Production and Marketing Administration. Barley containing in excess of 14 percent moisture shall not be eligible for farm-storage loans.

(b) *When stored in warehouses.* Loans will be made only on insured negotiable warehouse receipts covering eligible bar-

ley pledged as collateral issued by any public grain warehouse which has executed the Uniform Grain Storage Agreement, as amended, and has been approved by the Grain Branch.

**§ 264.35 Eligible storage.** Loans will be made on eligible barley stored in approved public grain warehouses or in acceptable storage structures located on farms.

(a) *Farm.* Farm-storage structures shall meet the requirements as determined by the Field Service Branch.

(b) *Warehouse.* Eligible warehouse storage shall include public grain warehouses which meet the requirements of Commodity Credit Corporation and which have executed the Uniform Grain Storage Agreement. Warehousemen desiring approval should communicate with the director of the office of the Grain Branch serving the area in which the warehouse is located. A list of approved warehouses will be furnished State and county committees by directors of Grain Branch offices.

**§ 264.36 Approved forms.** The approved forms constitute the loan documents which govern the right and responsibilities of the producer, and should be read carefully. Any fraudulent representation made by a producer in obtaining a loan or in executing any of the loan documents will render him subject to prosecution under the United States Criminal Code.

(a) Approved forms for farm storage shall consist of producer's notes, C. C. C. Commodity Form A, secured by chattel mortgages, C. C. C. Commodity Form AA.

(b) Approved forms for warehouse storage shall consist of note and loan agreements, C. C. C. Commodity Form B, secured by negotiable warehouse receipts representing the commodity stored in approved warehouses.

Warehouse receipts must be issued in the name of the producer, must be dated on or prior to the date of the related note, must be properly assigned by an endorsement in blank so as to vest title in the holder, and must be issued by an approved warehouseman. Unless the warehouse receipts are stamped or printed "insured" there must be attached and included in the certificate of the warehouseman a statement that the barley is insured for not less than the market value against the hazards of fire, lightning, inherent explosion, windstorm, cyclone, and tornado. Commodity Credit Corporation will not accept warehouse receipts indicating any lien for charges prior to unloading in or delivery to the warehouse issuing such receipts. Lien for handling and storage charges will be recognized only from May 15, 1946, or the date of the warehouse receipt, whichever is later. Such receipts must set out in their written or printed terms the gross weight, the grade, class, subclass, test weight, and all other factors and statements required to be stated in the written or printed terms of negotiable warehouse receipts under the provisions of section 2 of the Uniform Warehouse Receipts Acts or be accompanied by a certificate of the warehouseman, identified with such warehouse receipt, setting out such information, and shall



be based on the in-bound movement or delivery of the barley to the warehouse.

(c) Notes and note and loan agreements must be dated prior to January 1, 1947, and executed in accordance with these instructions, with State and documentary revenue stamps affixed thereto where required by law. Notes and note and loan agreements executed by an administrator, executor, or trustee will be acceptable only where legally valid.

§ 264.37 *Determination of quantity of barley.* A bushel shall be 48 pounds of clean barley free of dockage when determined by weight, or 1.25 cubic feet of barley testing 48 pounds per bushel when determined by measurement. In determining the quantity of barley in farm storage by measurement, fractional pounds of the bushel test weight will be disregarded, and the quantity determined as above will be the following percentages of the quantity determined for 48-pound barley:

For barley testing	Percent
48 pounds or over	100
47 pounds or over, but less than 48 pounds	98
46 pounds or over, but less than 47 pounds	96
45 pounds or over, but less than 46 pounds	94
44 pounds or over, but less than 45 pounds	92
43 pounds or over, but less than 44 pounds	90
42 pounds or over, but less than 43 pounds	88
41 pounds or over, but less than 42 pounds	85
40 pounds or over, but less than 41 pounds	83
39 pounds or over, but less than 40 pounds	81
38 pounds or over, but less than 39 pounds	79
37 pounds or over, but less than 38 pounds	77
36 pounds or over, but less than 37 pounds	75
35 pounds or over, but less than 36 pounds	73

§ 264.38 *Determination of dockage.* Determination of dockage shall be made on the basis of a representative sample analyzed by an approved laboratory in accordance with the Official Grain Standards of the United States.

§ 264.39 *Liens.* The commodity must be free and clear of all liens and encumbrances, or if liens or encumbrances exist on the commodity, proper waivers must be obtained.

§ 264.40 *Service fees.* Where the commodity is farm-stored the producer shall pay a service fee of 1 cent per bushel; and where the commodity is warehouse-stored the producer shall pay a service fee of ½ cent per bushel.

§ 264.41 *Set-offs.* A producer who is listed on the county debt register as indebted to any agency or corporation of the United States Department of Agriculture shall designate the agency or corporation to which he is indebted as the payee of the proceeds of the loan to the extent of such indebtedness, but not to exceed that portion of the proceeds remaining after deduction of the service fees and amounts due prior lienholders. Indebtedness owing to the

Commodity Credit Corporation shall be given first consideration after claims of prior lien-holders.

§ 264.42 *Loan rates—(a) Basic loan rate at terminal markets.* 1946 loan rates per bushel for No. 1 barley stored in approved public grain warehouses at the following terminal markets shall be as follows:

Market	Loan rate per bu.
Kansas City, Mo.; Omaha, Nebr.; and Minneapolis, Minn.	\$0.93
Chicago, Ill.; and St. Louis, Mo.	.97
Memphis, Tenn.	1.03
Philadelphia, Pa.; and Baltimore, Md.	1.08
Portland, Oreg.; Los Angeles and San Francisco, Calif.	1.00

All barley eligible for loan at the foregoing loan rates must have been shipped on a domestic freight rate basis. The loan rate at the designated terminal market will be reduced by the difference between the freight paid and the domestic rate on any barley shipped at other than the domestic rate.

The foregoing schedule of loan rates applies to barley delivered to any of the above designated terminal markets in carload lots which have been shipped by rail from a country shipping point to one of the designated terminal markets, as evidenced by paid freight bills duly registered for transit privileges and other documents as required herein: *Provided*, That, in the event the amount of paid-in freight is insufficient to guarantee minimum proportional rate from the terminal market, there shall be deducted from the applicable terminal loan rate the difference between the amount of freight actually paid in and the amount required to be paid in to guarantee minimum proportional basis on the outbound movement: *And provided further*, That Commodity Credit Corporation will accept in lieu of such bills, warehouse receipts on which a statement, signed by the warehouseman, has been typed in the form hereinafter set forth or a certificate of the warehouseman containing such a certification or such other form of certification as may be approved by Commodity Credit Corporation. A deduction of 6 cents per bushel shall be made if evidence is not submitted that paid freight bills have been registered for transit privileges.

#### FREIGHT CERTIFICATE FOR TERMINALS

The barley represented by attached warehouse receipt No. \_\_\_\_\_ was received by rail freight from \_\_\_\_\_

(Town) (County)  
\_\_\_\_\_ point of origin, as evidenced (State)

by freight bill described as follows: Way Bill, Date \_\_\_\_\_ No. \_\_\_\_\_ Car No. \_\_\_\_\_ Int. Freight Bill, Date \_\_\_\_\_ No. \_\_\_\_\_ Carrier \_\_\_\_\_ Transit Weight \_\_\_\_\_ Freight Rate in \_\_\_\_\_ Amount Collected \_\_\_\_\_ Number Unused Transit Stops \_\_\_\_\_

The above-described paid freight bills have been officially registered for transit and will be held in accordance with the provisions of paragraph 22 of the Uniform Grain Storage Agreement.

\_\_\_\_\_  
Date of Signature

\_\_\_\_\_  
Warehouseman's Signature

\_\_\_\_\_  
Address

Barley trucked to a designated terminal market and stored in a warehouse shall have a loan rate equal to the higher of (1) the terminal loan rate minus 6 cents per bushel, or, (2) the county loan rate for the county in which the barley is stored.

(b) *Basic loan rates at country points.* Commodity Credit Corporation will determine county loan rates on barley in storage on the farm or in country warehouses by deducting from the designated terminal market loan value an amount equal to 4 cents more than the applicable county average freight rate, plus freight tax, to such terminal market.

Each approved warehouse will be advised as to the loan rate applicable to barley stored in such warehouse. Producers may obtain from their respective county committees the loan rates applicable to barley stored on farms and in the public warehouses.

The loan rate for eligible barley stored in approved warehouses (other than those situated in the designated terminal markets) which was shipped by rail may be determined by deducting from the appropriate designated terminal market loan value an amount equal to the transit balance of the through freight rate from point of origin for such barley to such terminal market, plus freight tax on such transit balance; *Provided*, That in the case of barley stored at any railroad transit point, taking a penalty by reason of out-of-line movement, or for any other reason, to the appropriate designated market, there shall be added to such transit balance an amount equal to any out-of-line or other costs, as determined by Commodity Credit Corporation, incurred in storing loan barley in such position. Arrangements have been made for the railroads to indicate transit balance of the through rate on the in-bound paid freight bills on a basis of 100 pounds. To obtain the loan rate as determined above, the warehouse receipts, in addition to other required documents, must be accompanied by the original paid freight bills duly registered for transit privileges; *Provided*, That Commodity Credit Corporation will accept in lieu of such bills a statement signed by the warehouseman typed on the warehouse receipt, or on a supplemental certificate containing the certification set forth in paragraph (a) of this section, with the following additional information added:

Transit Balance, if any, of through freight rate to \_\_\_\_\_ of \_\_\_\_\_ per 100 pounds.

(c) *Variations for grades.* The loan rate for No. 2 shall be 2 cents per bushel less than for No. 1. The loan rate for No. 3 shall be 5 cents per bushel less than for No. 1. The loan rate for No. 4 shall be 8 cents per bushel less than for No. 1. The loan rate for No. 5 shall be 15 cents per bushel less than for No. 1. In addition, there shall be a discount of 2 cents per bushel for "mixed" barley.

(d) *County loan rates.* (1) Seven cents per bushel shall be deducted from the applicable loan rate for barley stored in warehouses unless evidence of prepaid storage is submitted.

(2) Barley trucked to a designated terminal market and stored in a warehouse



shall have a loan rate equal to the higher of (i) the terminal loan rate minus 6 cents per bushel, or (ii) the county loan rate for the county in which the barley is stored. (Subparagraph (1) also applies to terminal market storage.)

## ARIZONA

County	No. 1 Barley	County	No. 1 Barley
Apache	\$0.80	Mohave	\$0.80
Cochise	.80	Navajo	.80
Coconino	.80	Pima	.84
Gila	.80	Pinal	.81
Graham	.80	Santa Cruz	.81
Greenlee	.80	Yavapai	.80
Maricopa	.86	Yuma	.87

## CALIFORNIA

Alameda	\$0.93	San Benito	\$0.91
Butte	.89	San Bernar-	
Colusa	.90	dino	.91
Contra Costa	.94	San Diego	.89
El Dorado	.89	San Joaquin	.92
Fresno	.90	San Luis Obis-	
Glenn	.89	po	.90
Humboldt	.87	San Mateo	.94
Imperial	.90	Santa Bar-	
Kern	.90	bara	.90
Kings	.90	Santa Clara	.93
Lassen	.83	Santa Cruz	.92
Los Angeles	.94	Shasta	.87
Madera	.91	Sierra	.83
Marin	.93	Siskiyou	.83
Mendocino	.90	Solano	.93
Merced	.91	Sonoma	.92
Modoc	.81	Stanislaus	.92
Monterey	.91	Sutter	.90
Napa	.92	Tehama	.88
Orange	.92	Tulare	.90
Placer	.90	Ventura	.93
Plumas	.83	Yolo	.91
Riverside	.91	Yuba	.90
Sacramento	.90		

## COLORADO

All counties \$0.77 per bushel for No. 1 Barley.

## IDAHO

County	No. 1 Barley	County	No. 1 Barley
Ada	\$0.80	Gem	\$0.80
Adams	.80	Gooding	.80
Bannock	.80	Idaho	.83
Bear Lake	.80	Jefferson	.80
Benewah	.84	Jerome	.80
Bingham	.80	Kootenai	.84
Blaine	.80	Latah	.84
Boise	.80	Lemhi	.80
Bonner	.83	Lewis	.83
Bonneville	.80	Lincoln	.80
Boundary	.82	Madison	.80
Butte	.80	Minidoka	.80
Camas	.80	Nes Perce	.84
Canyon	.80	Oneida	.80
Caribou	.80	Owyhee	.80
Cassia	.80	Payette	.80
Clark	.80	Power	.80
Clearwater	.84	Shoshone	.83
Custer	.80	Teton	.80
Elmore	.80	Twin Falls	.80
Franklin	.80	Valley	.80
Fremont	.80	Washington	.80

## ILLINOIS

Adams	\$0.87	Coles	\$0.87
Alexander	.86	Cook	.90
Bond	.88	Crawford	.87
Boone	.87	Cumberland	.87
Brown	.87	De Kalb	.88
Bureau	.87	De Witt	.87
Calhoun	.87	Douglas	.87
Carroll	.87	Du Page	.89
Cass	.87	Edgar	.87
Champaign	.87	Edwards	.87
Christian	.87	Effingham	.87
Clark	.87	Fayette	.87
Clay	.87	Ford	.87
Clinton	.88	Franklin	.87

## ILLINOIS—continued

County	No. 1 Barley	County	No. 1 Barley
Fulton	\$0.87	Menard	\$0.87
Gallatin	.86	Mercer	.86
Greene	.87	Monroe	.83
Grundy	.88	Montgomery	.87
Hamilton (E) <sup>1</sup>	.87	Morgan	.87
Hamilton		Moultrie	.87
(W) <sup>1</sup>	.87	Ogle	.87
Hancock	.86	Peoria	.87
Hardin	.86	Perry	.87
Henderson	.86	Platt	.87
Henry	.87	Pike	.87
Iroquois	.88	Pope	.86
Jackson	.87	Pulaski	.86
Jasper	.87	Putnam	.87
Jefferson	.87	Randolph	.87
Jersey	.88	Richland	.87
Jo Daviess	.87	Rock Island	.87
Johnson	.86	St. Clair	.89
Kane	.89	Saline	.86
Kankakee	.88	Sangamon	.87
Kendall	.88	Schuyler	.87
Knox	.87	Scott	.87
Lake	.90	Shelby	.87
La Salle	.87	Stark	.87
Lawrence	.87	Stephenson	.87
Lee	.87	Tazewell	.87
Livingston	.87	Union	.86
Logan	.87	Vermilion	.87
McDonough	.86	Wabash	.87
McHenry	.88	Warren	.87
McLean	.87	Washington	.88
Macon	.87	Wayne	.87
Macoupin	.88	White	.87
Madison	.89	Whiteside	.87
Marion	.87	Will	.89
Marshall	.87	Williamson	.87
Mason	.87	Winnebago	.87
Massac	.86	Woodford	.87

## INDIANA

Adams	\$0.90	Lawrence	\$0.88
Allen	.90	Madison	.90
Bartholomew	.89	Marion	.89
Benton	.88	Marshall	.89
Blackford	.90	Martin	.87
Boone	.89	Miami	.89
Brown	.89	Monroe	.89
Carroll	.89	Montgomery	.89
Cass	.89	Morgan	.89
Clark	.89	Newton	.88
Clay	.88	Noble	.90
Clinton	.89	Ohio	.90
Crawford	.88	Orange	.88
Daviess	.87	Owen	.88
Dearborn	.90	Parke	.88
Decatur	.90	Perry	.88
De Kalb	.90	Pike	.87
Delaware	.90	Porter	.89
Dubois	.87	Posey	.87
Elkhart	.89	Pulaski	.89
Fayette	.90	Putnam	.89
Floyd	.89	Randolph	.90
Fountain	.88	Ripley	.90
Franklin	.91	Rush	.90
Fulton	.89	St. Joseph	.89
Gibson	.87	Scott	.89
Grant	.90	Shelby	.90
Greene	.87	Spencer	.88
Hamilton	.90	Starke	.89
Hancock	.90	Stueben	.90
Harrison	.88	Sullivan	.87
Hendricks	.89	Switzerland	.90
Henry	.90	Tiptecanoe	.89
Howard	.89	Tipton	.90
Huntington	.90	Union	.90
Jackson	.89	Vanderburgh	.88
Jasper	.88	Vermillion	.88
Jay	.90	Vigo	.88
Jefferson	.89	Wabash	.89
Jennings	.89	Warren	.88
Johnson	.89	Warrick	.88
Knox	.87	Washington	.89
Kosciusko	.89	Wayne	.90
Lagrange	.90	Wells	.90
Lake	.89	White	.89
La Porte	.89	Whitley	.89

<sup>1</sup> County divided.

## IOWA

County	No. 1 Barley	County	No. 1 Barley
Adair	\$0.83	Johnson	\$0.85
Adams	.83	Jones	.86
Allamakee	.84	Keokuk	.84
Appanoose	.84	Kossuth	.83
Audubon	.84	Lee	.86
Benton	.85	Linn	.85
Black Hawk	.84	Louisa	.85
Boone	.83	Lucas	.83
Bremer	.83	Lyon	.82
Buchanan	.84	Madison	.83
Buena Vista	.82	Mahaska	.83
Butler	.83	Marion	.83
Calhoun	.83	Marshall	.83
Carroll	.83	Mills	.85
Cass	.83	Mitchell	.83
Cedar	.86	Monona	.84
Cerro Gordo	.83	Monroe	.84
Cherokee	.83	Montgomery	.84
Chickasaw	.83	Muscatine	.86
Clarke	.83	O'Brien	.83
Clay	.82	Osceola	.82
Clayton	.84	Page	.84
Clinton	.86	Palo Alto	.82
Crawford	.84	Plymouth	.83
Dallas	.83	Pocahontas	.84
Davis	.85	Polk	.83
Decatur	.83	Pottawattamie	
Delaware	.85	(E) <sup>1</sup>	.85
Des Moines	.86	Pottawattamie	
Dickinson	.82	(W) <sup>1</sup>	.85
Dubuque	.85	Poweshiek	.84
Emmet	.82	Ringgold	.83
Fayette	.84	Sac	.83
Floyd	.83	Scott	.86
Franklin	.83	Shelby	.84
Fremont	.85	Sioux	.83
Greene	.83	Story	.83
Grundy	.83	Tama	.84
Guthrie	.83	Taylor	.83
Hamilton	.83	Union	.83
Hancock	.83	Van Buren	.85
Hardin	.83	Wapello	.84
Harrison	.85	Warren	.83
Henry	.85	Washington	.85
Howard	.83	Wayne	.83
Humboldt	.83	Webster	.83
Ida	.83	Winnebago	.82
Iowa	.84	Winneshiek	.84
Jackson	.86	Woodbury	.83
Jasper	.83	Worth	.83
Jefferson	.84	Wright	.83

## KANSAS

Allen	\$0.83	Gray	\$0.79
Anderson	.83	Greeley	.78
Atchison	.84	Greenwood	.82
Barber	.80	Hamilton	.78
Barton	.80	Harper	.80
Bourbon	.83	Harvey	.81
Brown	.83	Haskell	.78
Butler	.81	Hodgeman	.79
Chase	.82	Jackson	.83
Chautauqua	.82	Jefferson	.84
Cherokee	.82	Jewell	.81
Cheyenne	.78	Johnson	.85
Clark	.78	Kearny	.78
Clay	.81	Kingman	.80
Cloud	.81	Kiowa	.80
Coffey	.83	Labette	.82
Comanche	.79	Lane	.79
Cowley	.81	Leavenworth	.85
Crawford	.83	Lincoln	.80
Decatur	.79	Linn	.83
Dickinson	.81	Logan	.78
Doniphan	.83	Lyon	.82
Douglas	.84	McPherson	.80
Edwards	.80	Marion	.81
Elk	.82	Marshall	.82
Ellis	.80	Meade	.78
Ellsworth	.80	Miami	.84
Finney	.78	Mitchell	.80
Ford	.79	Montgomery	.82
Franklin	.84	Morris	.82
Geary	.82	Morton	.77
Gove	.79	Nemaha	.83
Graham	.80	Neosho	.83
Grant	.78	Ness	.79



## KANSAS—continued

County	No. 1 Barley	County	No. 1 Barley
Norton	\$0.80	Seward	\$0.78
Osage	.83	Shawnee	.83
Osborne	.80	Sheridan	.79
Ottawa	.81	Sherman	.78
Pawnee	.80	Smith	.80
Phillips	.80	Stafford	.80
Pottawatomie	.82	Stanton	.77
Pratt	.80	Stevens	.77
Rawlins	.78	Sumner	.81
Reno	.80	Thomas	.78
Republic	.81	Trego	.79
Rice	.80	Wabaunsee	.82
Riley	.82	Wallace	.78
Rooks	.80	Washington	.82
Rush	.80	Wichita	.78
Russell	.80	Wilson	.82
Saline	.81	Woodson	.83
Scott	.78	Wyandotte	.85
Sedgwick	.81		

## MICHIGAN

Alcona	\$0.86	Keweenaw	\$0.82
Alger	.85	Lake	.88
Allegan	.89	Lapeer	.90
Alpena	.86	Leelanau	.86
Antrim	.86	Lenawee	.91
Arenac	.87	Livingston	.90
Baraga	.85	Luce	.86
Barry	.89	Mackinac	.86
Bay	.89	Macomb	.92
Benzie	.87	Manistee	.87
Berrien	.89	Marquette	.85
Branch	.89	Mason	.89
Calhoun	.89	Mecosta	.89
Cass	.89	Menominee	.85
Charlevoix	.86	Midland	.89
Cheboygan	.86	Missaukee	.87
Chippewa	.86	Monroe	.92
Clare	.89	Montcalm	.89
Clinton	.89	Montmorency	.86
Crawford	.87	Muskegon	.89
Delta	.86	Newaygo	.89
Dickinson	.85	Oakland	.91
Eaton	.89	Oceana	.89
Emmet	.86	Ogemaw	.87
Genesee	.90	Ontonagon	.85
Gladwin	.88	Osceola	.88
Gogebic	.85	Oscoda	.86
Grand Traverse	.86	Otsego	.86
Gratiot	.89	Ottawa	.89
Hillsdale	.90	Presque Isle	.86
Houghton	.85	Roscommon	.87
Huron	.90	Saginaw	.90
Ingham	.90	St. Clair	.92
Ionia	.89	St. Joseph	.89
Iosco	.87	Sanilac	.90
Iron	.85	Schoolcraft	.86
Isabella	.89	Shiawassee	.90
Jackson	.90	Tuscola	.90
Kalamazoo	.89	Van Buren	.89
Kalkaska	.86	Washtenaw	.91
Kent	.89	Wayne	.92
		Wexford	.87

## MINNESOTA

Aitkin	\$0.83	Fillmore	\$0.83
Anoka	.85	Freeborn	.83
Becker	.81	Goodhue	.83
Beltrami	.80	Grant	.82
Benton	.83	Hennepin	.85
Big Stone	.82	Houston	.83
Blue Earth	.83	Hubbard	.81
Brown	.83	Isanti	.84
Carlton	.83	Itasca	.82
Carver	.85	Jackson	.82
Cass	.81	Kanabec	.83
Chippewa	.83	Kandiychi	.83
Chisago	.84	Kittson	.77
Clay	.81	Koochiching	.80
Clearwater	.80	Lac Qui Parle	.82
Cook	.81	Lake	.81
Cottonwood	.83	Lake of the	
Crow Wing	.82	Woods	.78
Dakota	.85	Le Sueur	.84
Dodge	.83	Lincoln	.82
Douglas	.83	Lyon	.82
Faribault	.83	McLeod	.84

## MINNESOTA—continued

County	No. 1 Barley	County	No. 1 Barley
Mahnomen	\$0.80	Rock	\$0.81
Marshall	.78	Roseau	.77
Martin	.83	St. Louis	.82
Meeker	.83	Scott	.85
Mille Lacs	.83	Sherburne	.84
Morrison	.83	Sibley	.83
Mower	.83	Stearns	.83
Murray	.82	Steele	.83
Nicollet	.83	Stevens	.82
Nobles	.81	Swift	.83
Norman	.80	Todd	.83
Olmsted	.83	Traverse	.81
Otter Tail	.82	Wabasha	.83
Pennington	.79	Wadena	.82
Pine	.83	Waseca	.83
Pipestone	.81	Washington	.84
Polk	.79	Watsonwan	.83
Pope	.83	Wilkin	.81
Ramsey	.85	Winona	.83
Red Lake	.79	Wright	.84
Redwood	.83	Yellow	
Renville	.83	Medicine	.82
Rice	.84		

## MISSOURI

Adair	\$0.85	Linn	\$0.85
Andrew	.84	Livingston	.84
Atchison	.83	McDonald	.82
Audrain	.87	Macon	.85
Barry	.82	Madison	.87
Barton	.83	Maries	.87
Bates	.83	Marion	.87
Benton	.84	Mercer	.83
Bollinger	.86	Miller	.85
Boone	.87	Mississippi	.84
Buchanan	.84	Moniteau	.86
Butler	.86	Monroe	.86
Caldwell	.84	Montgomery	.87
Callaway	.87	Morgan	.85
Camden	.85	New Madrid	.84
Cape Girardeau	.86	Newton	.82
Carroll	.85	Nodaway	.83
Carter	.84	Oregon	.82
Cass	.84	Osage	.87
Cedar	.83	Ozark	.82
Chariton	.85	Pemiscot	.84
Christian	.82	Perry	.87
Clark	.86	Pettis	.85
Clay	.85	Phelps	.86
Clinton	.84	Pike	.87
Cole	.86	Platte	.85
Cooper	.86	Polk	.83
Crawford	.87	Pulaski	.86
Dade	.83	Putnam	.83
Dallas	.83	Ralls	.87
Daviess	.84	Randolph	.86
De Kalb	.84	Ray	.85
Dent	.86	Reynolds	.84
Douglas	.82	Ripley	.84
Dunklin	.84	St. Charles	.89
Franklin	.88	St. Claire	.83
Gasconade	.87	St. Francois	.87
Gentry	.83	St. Louis	.90
Greene	.83	Ste. Genevieve	.87
Grundy	.84	Saline	.85
Harrison	.83	Schuyler	.85
Henry	.83	Scotland	.86
Hickory	.83	Scott	.85
Holt	.83	Shannon	.82
Howard	.86	Shelby	.86
Howell	.82	Stoddard	.85
Iron	.86	Stone	.82
Jackson	.85	Sullivan	.84
Jasper	.83	Taney	.82
Jefferson	.88	Texas	.82
Johnson	.84	Vernon	.83
Knox	.86	Warren	.88
Laclede	.84	Washington	.87
Lafayette	.85	Wayne	.86
Lawrence	.82	Webster	.83
Lewis	.87	Worth	.83
Lincoln	.88	Wright	.83

## MONTANA

All counties \$0.77 per bushel for No. 1 Barley.

## NEBRASKA

County	No. 1 Barley	County	No. 1 Barley
Adams	\$0.82	Jefferson	\$0.83
Antelope	.82	Johnson	.83
Arthur	.79	Kearney	.81
Banner	.77	Keith	.79
Blaine	.80	Keya Paha	.80
Boone	.83	Kimball	.77
Box Butte	.77	Knox	.82
Boyd	.81	Lancaster	.84
Brown	.79	Lincoln	.79
Buffalo	.82	Logan	.80
Burt	.84	Loup	.80
Butler	.84	McPherson	.79
Cass	.85	Madison	.83
Cedar	.82	Merrick	.83
Chase	.78	Morrill	.77
Cherry	.79	Nance	.83
Cheyenne	.77	Nemaha	.83
Clay	.82	Nuckolls	.82
Colfax	.84	Otoe	.84
Cuming	.83	Pawnee	.83
Custer	.80	Perkins	.79
Dakota	.83	Phelps	.81
Dawes	.77	Pierce	.83
Dawson	.81	Platte	.83
Deuel	.78	Polk	.83
Dixon	.83	Red Willow	.79
Dodge	.84	Richardson	.83
Douglas	.85	Rock	.80
Dundy	.78	Saline	.83
Fillmore	.83	Sarpy	.85
Franklin	.81	Saunders	.84
Frontier	.79	Scotts Bluff	.77
Furnas	.80	Seward	.84
Gage	.83	Sheridan	.78
Garden	.78	Sherman	.82
Garfield	.81	Sioux	.77
Gosper	.80	Stanton	.83
Grant	.78	Thayer	.83
Greeley	.82	Thomas	.79
Hall	.82	Thurston	.83
Hamilton	.83	Valley	.82
Harlan	.81	Washington	.85
Hayes	.79	Wayne	.83
Hitchcock	.79	Webster	.81
Holt	.81	Wheeler	.82
Hooker	.79	York	.83
Howard	.82		

## NEVADA

Churchill	\$0.81	Lincoln	\$0.80
Clark	.80	Lyon	.80
Douglas	.80	Ormsby	.80
Elko	.80	Pershing	.81
Eureka	.80	Washoe	.83
Humboldt	.80	White Pine	.80
Lander	.80		

## NEW MEXICO

Curry	\$0.78	Roosevelt	\$0.78
Quay	.78		

All other counties \$0.77 per bushel for No. 1 Barley.

## NORTH DAKOTA

County	No. 1 Barley	County	No. 1 Barley
Adams	\$0.77	Hettinger	\$0.77
Barnes	.79	Kidder	.78
Benson	.78	La Moure	.79
Billings	.77	Logan	.78
Bottineau	.77	McHenry	.77
Bowman	.77	McIntosh	.78
Burke	.77	McKenzie	.77
Burleigh	.77	McLean	.77
Cass	.80	Mercer	.77
Cavalier	.78	Morton	.77
Dickey	.79	Mountrail	.77
Divide	.77	Nelson	.78
Dunn	.77	Oliver	.77
Eddy	.78	Pembina	.78
Emmons	.77	Pierce	.77
Foster	.79	Ramsey	.78
Golden Valley	.77	Ransom	.79
Grand Forks	.79	Renville	.77
Grant	.77	Richland	.81
Griggs	.79	Rolette	.77



## NORTH DAKOTA—continued

County	No. 1 Barley	County	No. 1 Barley
Sargent	\$0.80	Towner	\$0.77
Sheridan	.77	Trall	.79
Sioux	.77	Walsh	.78
Slope	.77	Ward	.77
Stark	.77	Wells	.78
Steele	.79	Williams	.77
Stutsman	.79		

## OHIO

Adams	\$0.91	Licking	\$0.93
Allen	.92	Logan	.92
Ashland	.93	Lorain	.93
Ashtabula	.94	Lucas	.92
Athens	.92	Madison	.92
Auglaize	.91	Mahoning	.94
Belmont	.94	Marion	.93
Brown	.91	Medina	.93
Butler	.91	Meigs	.91
Carroll	.93	Mercer	.91
Champaign	.91	Miami	.91
Clark	.91	Monroe	.93
Clermont	.91	Montgomery	.91
Clinton	.91	Morgan	.93
Columbiana	.94	Morrow	.93
Coshocton	.93	Muskingum	.93
Crawford	.93	Noble	.93
Cuyahoga	.93	Ottawa	.93
Darke	.91	Paulding	.91
Defiance	.91	Perry	.93
Delaware	.93	Pickaway	.92
Erie	.93	Pike	.92
Fairfield	.93	Portage	.93
Fayette	.91	Preble	.91
Franklin	.93	Putnam	.92
Fulton	.91	Richland	.93
Gallia	.91	Ross	.91
Geauga	.94	Sandusky	.93
Greene	.91	Scioto	.91
Guernsey	.93	Seneca	.93
Hamilton	.91	Shelby	.91
Hancock	.93	Stark	.93
Hardin	.92	Summit	.93
Harrison	.93	Trumbull	.94
Henry	.91	Tuscarawas	.93
Highland	.91	Union	.92
Hocking	.93	Van Wert	.91
Holmes	.93	Vinton	.92
Huron	.93	Warren	.91
Jackson	.92	Washington	.93
Jefferson	.94	Wayne	.93
Knox	.93	Williams	.91
Lake	.94	Wood	.93
Lawrence	.91	Wyandot	.93

## OKLAHOMA

Adair	\$0.85	Jefferson	\$0.83
Alfalfa	.84	Johnston	.83
Atoka	.84	Kay	.83
Beaver	.80	Kingfisher	.83
Beckham	.82	Kiowa	.83
Blaine	.83	Latimer	.85
Bryan	.83	LeFlore	.86
Caddo	.83	Lincoln	.83
Canadian	.83	Logan	.83
Carter	.83	Love	.83
Cherokee	.85	McClain	.83
Choctaw	.84	McCurtain	.84
Cimarron	.78	McIntosh	.85
Cleveland	.83	Major	.83
Coal	.84	Marshall	.83
Comanche	.83	Mayes	.84
Cotton	.83	Murray	.83
Craig	.84	Muskogee	.85
Creek	.84	Noble	.83
Custer	.83	Nowata	.84
Delaware	.85	Okfuskee	.84
Dewey	.83	Oklahoma	.83
Ellis	.81	Okmulgee	.84
Garfield	.83	Ossage	.83
Garvin	.83	Ottawa	.84
Grady	.83	Pawnee	.83
Grant	.83	Payne	.83
Greer	.83	Pittsburgh	.85
Harmon	.82	Pontotoc	.84
Harper	.81	Pottawatomie	.83
Haskell	.85	Pushmataha	.84
Hughes	.84	Roger Mills	.81
Jackson	.83	Rogers	.84

## OKLAHOMA—continued

County	No. 1 Barley	County	No. 1 Barley
Seminole	\$0.83	Wagoner	\$0.84
Sequoyah	.85	Washington	.84
Stephens	.83	Washita	.83
Texas	.79	Woods	.82
Tillman	.83	Woodward	.82
Tulsa	.84		

## OREGON

Baker	\$0.83	Lane	\$0.89
Benton	.91	Linne	.91
Clackamas	.92	Malheur	.80
Columbia	.93	Marion	.92
Crook	.87	Morrow	.90
Deschutes	.87	Multnomah	.94
Douglas	.87	Polk	.92
Gilliam	.90	Sherman	.90
Grant	.80	Umatilla	.87
Harney	.80	Union	.83
Jackson	.85	Wallowa	.82
Jefferson	.88	Wasco	.90
Josephine	.85	Washington	.93
Klamath	.84	Yamhill	.92
Lake	.80		

## SOUTH DAKOTA

Armstrong	\$0.77	Jackson	\$0.77
Aurora	.80	Jerauld	.80
Beadle	.80	Jones	.77
Bennett	.78	Kingsbury	.80
Bon Homme	.82	Lake	.81
Brookings	.81	Lawrence	.77
Brown	.79	Lincoln	.82
Brule	.79	Lyman	.79
Buffalo	.79	McCook	.81
Butte	.77	McPherson	.79
Campbell	.78	Marshall	.80
Charles Mix	.80	Meade	.77
Clark	.80	Mellette	.79
Clay	.83	Miner	.80
Codington	.81	Minnehaha	.82
Corson	.77	Moody	.81
Custer	.77	Pennington	.77
Davison	.80	Perkins	.77
Day	.80	Potter	.78
Deuel	.81	Roberts	.81
Dewey	.77	Sanborn	.80
Douglas	.80	Shannon	.78
Edmunds	.79	Spink	.80
Fall River	.77	Stanley	.77
Faulk	.79	Sully	.78
Grant	.81	Todd	.79
Gregory	.80	Tripp	.79
Haakon	.77	Turner	.82
Hamlin	.81	Union	.83
Hand	.79	Walworth	.78
Hanson	.81	Washabaugh	.77
Harding	.77	Washington	.78
Hughes	.78	Yankton	.82
Hutchinson	.81	Ziebach	.77
Hyde	.79		

## TEXAS

Andrews	\$0.79	Eastland	\$0.79
Archer	.79	Ector	.79
Armstrong	.80	Erath	.79
Bailey	.79	Fisher	.79
Baylor	.79	Floyd	.79
Borden	.79	Forard	.79
Briscoe	.79	Gaines	.79
Brown	.79	Garza	.79
Callahan	.79	Glasscock	.79
Carson	.80	Gray	.80
Castro	.79	Hale	.79
Childress	.80	Hall	.80
Clay	.80	Hansford	.79
Cochran	.79	Hardeman	.80
Coke	.79	Hartley	.79
Coleman	.79	Haskell	.79
Collingsworth	.80	Hemphill	.80
Comanche	.79	Hockley	.79
Cottle	.79	Howard	.79
Crosby	.79	Hutchinson	.79
Dallam	.79	Jack	.79
Dawson	.79	Jones	.79
Deaf Smith	.79	Kent	.79
Dickens	.79	King	.79
Donley	.80	Knox	.79
		Lamb	.79

## TEXAS—continued

County	No. 1 Barley	County	No. 1 Barley
Lipscomb	\$0.80	Scurry	\$0.79
Lubbock	.79	Shackelford	.79
Lynn	.79	Sherman	.79
Martin	.79	Stephens	.79
Midland	.79	Sterling	.79
Mitchell	.79	Stonewall	.79
Moore	.79	Swisher	.79
Motley	.79	Taylor	.79
Nolan	.79	Terry	.79
Ochiltree	.79	Throckmorton	.79
Oldham	.79	Wheeler	.80
Palo Pinto	.79	Wichita	.80
Parmer	.79	Wilbarger	.80
Potter	.80	Yoakum	.79
Randall	.79	Young	.79
Roberts	.80		
Runnels	.79		

## UTAH

All counties \$0.80 per bushel for No. 1 Barley.

## WASHINGTON

County	No. 1 Barley	County	No. 1 Barley
Adams	\$0.84	Lewis	\$0.90
Asotin	.84	Lincoln	.84
Benton	.87	Mason	.88
Chelan	.84	Okanogan	.82
Clark	.92	Pacific	.88
Columbia	.86	Pend Oreille	.82
Cowlitz	.90	Skamania	.90
Douglas	.82	Spokane	.84
Ferry	.82	Stevens	.82
Franklin	.85	Thurston	.88
Garfield	.86	Walla Walla	.86
Grant	.84	Whitman	.84
Kittitas	.87	Yakima	.87
Klickitat	.90		

## WISCONSIN

Adams	\$0.85	Marathon	\$0.84
Ashland	.82	Marquette	.83
Barron	.83	Marquette	.85
Bayfield	.82	Milwaukee	.89
Brown	.85	Monroe	.85
Buffalo	.83	Oconto	.84
Burnett	.83	Oneida	.83
Calumet	.86	Outagamie	.85
Chippewa	.83	Ozaukee	.87
Clark	.83	Pepin	.83
Columbia	.86	Pierce	.84
Crawford	.84	Polk	.84
Dane	.87	Portage	.85
Dodge	.87	Price	.83
Door	.84	Racine	.90
Douglas	.82	Richland	.85
Dunn	.83	Rock	.87
Eau Claire	.83	Rusk	.83
Florence	.83	St. Croix	.84
Fond du Lac	.86	Sauk	.85
Forest	.83	Sawyer	.83
Grant	.85	Shawano	.84
Green	.87	Sheboygan	.86
Green Lake	.86	Taylor	.83
Iowa	.85	Trempealeau	.83
Iron	.82	Vernon	.84
Jackson	.84	Vilas	.83
Jefferson	.87	Walworth	.87
Juneau	.85	Washburn	.83
Kenosha	.90	Washington	.87
Kewaunee	.84	Waukesha	.87
La Crosse	.84	Waupaca	.85
Lafayette	.85	Waushara	.85
Langlade	.83	Winnebago	.86
Lincoln	.83	Wood	.84
Manitowoc	.86		

§ 264.43 Interest rate. Loans shall bear interest at the rate of 3 percent per annum; and interest shall accrue from the date of disbursement of the loan, notwithstanding the printed provisions of the note.

§ 264.44 Transfer of producer's equity. The right of the producer to transfer either his right to redeem the commodity



or his remaining interest may be restricted by Commodity Credit Corporation.

§ 264.45 *Safeguarding of the commodity.* The producer is obligated to maintain the farm-storage structures in good repair, and to keep the commodity in good condition.

§ 264.46 *Insurance.* Commodity Credit Corporation will not require the producer to insure the commodity placed under farm-storage loan; however, if the producer does insure such commodity such insurance shall inure to the benefit of Commodity Credit Corporation to the extent of its interest, after first satisfying the producer's equity in the commodity involved in the loss.

§ 264.47 *Loss or damage to the commodity.* The producer is responsible for any loss in quantity or quality to farm-stored commodity, except that uninsured physical loss or damage occurring without fault, negligence, or conversion on the part of the producer resulting solely from an external cause other than insect infestation or vermin will be assumed by the Corporation, provided the producer has given the county committee immediate notice in writing of such loss or damage, and provided there has been no fraudulent representation made by the producer in the loan documents or in obtaining the loan.

§ 264.48 *Personal liability.* The making of any fraudulent representation by the producer in the loan documents or in obtaining the loan, or the conversion or unlawful disposition of any portion of the commodity by him, shall render the producer personally liable for the amount of the loan and for any resulting expense incurred by any holder of the note.

§ 264.49 *Maturity and satisfaction.* Loans mature on demand but not later than April 30, 1947. In the case of farm-storage loans, the producer is required to pay off his loan on or before maturity date, or to deliver the mortgaged commodity within 60 days after maturity date. Credit will be given for the total quantity delivered, provided it was stored in the cribs or bins in which the commodity under loan was stored, at the applicable settlement rate, according to grade and/or quality. If the settlement value of the commodity delivered exceeds the amount due on the loan, the amount of the excess shall be paid to the producer. If the settlement value of the commodity is less than the amount due on the loan, the amount of the deficiency, plus interest, shall be paid by the producer to the Corporation, and may be set off against any payment which would otherwise be made to the producer under any agricultural programs administered by the Secretary of Agriculture, or any other payments which are due or may become due to the producer from Commodity Credit Corporation or any other agency of the United States. In the event the farm is sold or there is a change of tenancy, the commodity may be delivered before the maturity date of the loan upon prior approval of the county committee.

§ 264.50 *Removal of the commodity.* If the loan is not satisfied upon maturity by payment or delivery, the holder of the note may remove the commodity and sell it, either by separate contract or after pooling it with other lots of the same commodity similarly held. The producer has no right of redemption after the commodity is pooled, but shall share ratably in any overplus remaining upon liquidation of the pool. The Commodity Credit Corporation shall have the right to treat a pooled commodity as a reserve supply to be marketed under such sales policies as the Corporation determines will promote orderly marketing, protect the interests of producers and consumers, and not unduly impair the market for the current crop of the commodity, even though part or all of such pooled commodity is disposed of under such policies at prices less than the current domestic price for such commodity. Any sum due the producer as a result of the sale of the commodity or of insurance proceeds thereon, or any ratable share resulting from the liquidation of a pool, shall be payable only to the producer without right of assignment by him.

§ 264.51 *Release of the commodity.* A producer may obtain release of the commodity by paying to the holder of the note, or note and loan agreement, the principal amount thereof, plus interest. If the note is held by an out-of-town lending agency or by Commodity Credit Corporation, the producer may request that the note be forwarded to a local bank for collection. In such case, where Commodity Credit Corporation is the holder of the note, the local bank will be instructed to return the note if payment is not effected within 15 days. All charges in connection with the collection of the note shall be paid by the producer. Upon payment of a farm-storage loan, the county committee should be requested to release the mortgage by filing an instrument of release or by a marginal release on the county records. Partial releases of the commodity may be arranged with the county committee by paying to the holder of the note the amount of the loan, plus charges and accrued interest, represented by the quantity of the commodity to be released. In case of warehouse-storage loans, each partial release must cover all of the commodity under one warehouse receipt number.

§ 264.52 *Storage allowance.* No farm-storage allowance shall be made. On barley stored in public warehouse, 7 cents per bushel shall be deducted from the applicable loan rate unless evidence of prepaid storage is submitted in substantially the following form:

Storage charges through April 30, 1947, on the barley represented by this warehouse receipt have been paid or otherwise provided for, and lien for such charges will not be claimed by the warehouseman from Commodity Credit Corporation or any subsequent holder of this warehouse receipt.

-----  
Address  
-----  
Warehouseman

§ 264.53 *Purchase of notes.* Commodity Credit Corporation will purchase, from approved lending agencies, notes evidencing approved loans which are secured by chattel mortgages or negotiable warehouse receipts. The purchase price to be paid by Commodity Credit Corporation will be the principal sums remaining due on such notes, plus accrued interest from the date of disbursement to the date of purchase at the rate of 1½ percent per annum. Lending agencies are required to submit a weekly report to the Corporation and to the county committees on 1940 C. C. Form F or such other form as the Corporation may prescribe, of all payments received on producers' notes held by them, and are required to remit promptly to Commodity Credit Corporation an amount equivalent to 1½ percent interest per annum, on the amount of the principal collected, from the date of disbursement to the date of payment. Lending agencies should submit notes and reports to the Grain Branch office serving the area.

§ 264.54 *Offices of directors of Grain Branch.* The offices of the directors of the Grain Branch and the areas served by them, are shown below:

#### Address and Area

208 South LaSalle Street, Chicago 4, Ill.: Delaware, Illinois (except East St. Louis), Indiana, Kentucky, Maryland, Michigan, New York, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, Southern Wisconsin, and States not otherwise listed.

212 West 14th Street, Kansas City 8, Mo.: Alabama, Arkansas, Colorado, Florida, Georgia, Kansas, Louisiana, Mississippi, Missouri (also East St. Louis), Nebraska, New Mexico, Oklahoma, South Carolina, Texas, and Wyoming.

328 McKnight Building, Minneapolis 1, Minn.: Minnesota, Montana, North Dakota, South Dakota, and Northern Wisconsin.

Eastern Outfitting Building, 515 Southwest Tenth and Washington Streets, Portland 5, Oreg.: Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington.

Date program announced, June 11, 1946.

NOTE: The foregoing document covers 1946 C. C. C. Barley Bulletin 1 issued by Commodity Credit Corporation June 11, 1946, and Supplements 1 and 2 to said Bulletin issued on June 11, 1946.

[SEAL] C. C. FARRINGTON,  
Vice President,  
Commodity Credit Corporation.

[F. R. Doc. 47-239; Filed, Jan. 9, 1947;  
8:48 a. m.]

[1946 C. C. C. Seed Bulletin I (Purchase) as Amended]

#### PART 274—SEED LOANS AND PURCHASES SEED PURCHASE PROGRAM

This bulletin states the requirements with respect to the 1946 Winter Cover Crop Seed Purchase Program formulated by Commodity Credit Corporation and the Production and Marketing Administration under which purchases will be made of seed produced in 1946 (hereinafter referred to as the "commodity") delivered to designated delivery points in accordance with this bulletin.



Sec.	
274.01	Administration of program.
274.02	Location and season of purchases.
274.03	Payment.
274.04	Eligible producer.
274.05	Eligible seed.
274.06	Handling of seeds.
274.07	Approved forms.
274.08	Determination of quantity.
274.09	Determination of quality.
274.10	Liens.
274.11	Charges to be paid by producers.
274.12	Set-offs.
274.13	Pricing basis.
274.14	Offices of directors of Grain Branch.

**AUTHORITY:** §§ 274.01 to 274.14, inclusive, issued under Article Third, par. (b) and (j) of the Corporate Charter of the Commodity Credit Corporation; sec. 7 (a), 49 Stat. 4, as amended, sec. 4 (b), 55 Stat. 498, 56 Stat. 768, 15 U. S. C. and Sup. 713 (a), 713a-8 (b).

**§ 274.01 Administration of programs.** The program will be administered at the county level by the county agricultural conservation committees under the general supervision of the respective State PMA committees.

Forms may be obtained from county committees, or from the office of the director of the Grain Branch serving the area. State and county committees will determine or cause to be determined the quantity and grade of the commodity and the amount of the purchase. All purchase documents will be completed and approved by the county committee, which will retain copies of all documents; *Provided, however,* That the county committee may designate in writing certain employees of the county agricultural conservation association to execute such forms on behalf of the committee.

The county committee will furnish sellers with the address of the Grain Branch office in the area to which purchase documents are forwarded for disbursement.

**§ 274.02 Location and season of purchases—(a) Area.** Purchases will be made from producers in the area where facilities are available for cleaning and packaging the seed.

**(b) Purchase period.** Purchases of seed will be made from the 1946 harvest-time through April 30, 1947.

**§ 274.03 Payment.** Payments will be made direct to producers and others designated by producers (on CCC Purchase Form A) by the regional director of Grain Branch, Production and Marketing Administration, serving the area in which purchases are made.

**§ 274.04 Eligible producer.** An eligible producer is any person, partnership, association, or corporation harvesting the seed in 1946 as landowner, landlord, tenant or custom harvester.

**§ 274.05 Eligible seed.** Hairy vetch, Willamette vetch, crimson clover and annual (common) ryegrass seed (hereinafter called "seed"), shall be eligible when harvested in 1946 by eligible producers (hereinafter called "producer"), as defined herein.

**(a) Specifications.** The seed must, by official test, be equal to or better than the lowest of the specifications for the particular kind of seed as shown in attached Purchase Supplements 1 and 2.

**(b) Packaging.** The seed shall be packaged in bags of approved quality (as described in attached Supplement 3), of 100 pounds net, or either 100 pounds net or 150 pounds net in the case of crimson clover grown east of the Rocky Mountains.

**(c) Fumigation.** The seed shall be fumigated, if necessary, to eradicate or prevent insect infestation.

**§ 274.06 Handling of seeds.** Seed dealers, cooperative associations, or others having adequate facilities for handling the seed who have agreed in Memorandum of Understanding with the county committee to provide certain services in connection with seed purchased under the program will assemble the seed and prepare it for delivery. Instructions for shipment of the purchased seeds will be issued by the regional office of the Grain Branch and transmitted to the dealers through the State PMA and county offices.

**§ 274.07 Approved forms.** The Memorandum of Purchase (CCC Purchase Form A) shall constitute the purchase document which will govern the conditions under which the purchase is made.

The Memorandum of Understanding (Supplement 4 or 5) contains the conditions for handling the seeds being purchased and the procedure to be followed by the dealers and county committees.

**§ 274.08 Determination of quantity.** The net weight of the seed shall constitute the quantity of seed purchased.

**§ 274.09 Determination of quality.** All determinations of germination and purity shall be on the basis of an official test of a representative sample.

**NOTE:** For purposes of this program, an "official test" is an analysis made by a seed-testing laboratory approved by the State PMA committee.

**§ 274.10 Liens.** The commodity must be free and clear of all liens and encumbrances, or if liens or encumbrances exist on the commodity, proper waivers must be obtained.

**§ 274.11 Charges to be paid by producers.** In the case of seed purchased by Commodity Credit Corporation, the producer shall pay all cleaning expenses and other expenses (including bagging and cost of bags), except analysis expense, whether covered herein or not, which are necessary to prepare the seed to meet all eligibility requirements. Producers shall pay all charges (including charges for the issuance of reports) in connection with the sampling and analysis of seed which, by official test, is not of an eligible quality.

**§ 274.12 Set-offs.** A producer who is listed on the county debt register as indebted to any agency or corporation of the United States Department of Agriculture shall designate the agency or corporation to which he is indebted as the payee of the proceeds of the sale to the extent of such indebtedness, but not to exceed that portion of the proceeds remaining after deduction of the service fees and amounts due prior lienholders.

The Commodity Credit Corporation shall be given first consideration for outstanding indebtedness after claims of prior lienholders.

**§ 274.13 Pricing basis.** The prices to be paid for the seed shall be computed in accordance with the applicable schedule (Supplements 1 and 2 attached hereto) for the area.

**§ 274.14 Offices of directors of Grain Branch.** The offices of the directors of the Grain Branch referred to herein and the areas served by them under these instructions are shown below:

#### Address of Director and area

208 South La Salle Street, Chicago 4, Ill.: Connecticut, Delaware, Illinois (except East St. Louis), Indiana, Iowa, Kentucky, Maryland, Maine, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, and West Virginia.

212 West 14th Street, Kansas City 8, Mo.: Alabama, Arkansas, Colorado, Georgia, Florida, Kansas, Louisiana, Mississippi, Missouri (also East St. Louis), Nebraska, New Mexico, Oklahoma, South Carolina, Texas, and Wyoming.

Eastern Outfitting Building, 515 Southwest Tenth and Washington Streets, Portland 5, Oreg.: Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington.

326 McKnight Building, Minneapolis 1, Minn.: Minnesota, Montana, North Dakota, South Dakota, and Wisconsin.

Dated: June 15, 1946.

[SEAL] C. C. FARRINGTON,  
Vice President,  
Commodity Credit Corporation.

**NOTE:** The foregoing document covers 1946 C. C. C. Seed Bulletin I (purchase), issued by Commodity Credit Corporation June 15, 1946, and amendment No. 1 to said Bulletin issued on June 15, 1946.

1946 CCC Seed Bulletin 1 (Purchase), Supp. 1.

1946 WINTER COVER CROP SEED PURCHASE PROGRAM,  
SCHEDULE OF SPECIFICATIONS AND PRICES

[East Central and Southern regions]

	Crimson clover	Hairy vetch	Common rye- grass
Base specifications:			
Germination (live seed including hard seed).....	85%	90%	90%
Pure seed.....	98%	95%	98%
Base price per cwt.....	\$12.50	\$13.00	\$8.50
Applicable discounts per cwt. for—			
A. Each 1% below base specifications:			
1. Germination (for crimson clover seed with germination of less than 85% the following prices will apply: 80% to 84%, \$12.00 per cwt.; 78% to 79%, \$11.50 per cwt.).....		\$0.16	\$0.10
2. Pure seed.....	\$0.20	\$0.09	\$0.10
B. Wild onion (Kentucky only).	\$1.00		
Minimum eligibility specifications:			
Germination.....	75%	70%	75%
Pure seed.....	90%	70%	95%
Total Winter legumes.....		98%	
Noxious weed—maximum.....	None		
Weed seed—maximum.....	1.0%		2.0%
Other crop seed—maximum.....	2.0%		

Where no entries appear, no requirements or discounts have been established.

<sup>1</sup> In Kentucky, seed containing not more than 5 wild onion bulbs per ounce will also be purchased at a discount of \$1.00 per cwt.



1946 CCC Seed Bulletin 1 (Purchase), Supp. 2.

SCHEDULE OF SPECIFICATIONS AND PRICES APPLICABLE  
TO 1946 SEED PURCHASE PROGRAM

(Western region)

	Hairy vetch <sup>1</sup>	Willamette vetch <sup>2</sup>	Orion clover	Rye- grass
1. Basic price per pound...	\$0.12	\$0.06	\$0.115	\$0.075
2. Basic price requirements:				
Germination <sup>3</sup> .....	90	90	85	90
Purity.....	95	98	98	98
Total winter legume.....	98	98	( <sup>4</sup> )	( <sup>4</sup> )
Noxious weeds permitted.....	( <sup>4</sup> )	( <sup>4</sup> )	None	( <sup>4</sup> )
Common weed not to exceed.....	( <sup>4</sup> )	( <sup>4</sup> )	1%	2%
Other crop seed permitted.....	( <sup>4</sup> )	( <sup>4</sup> )	2%	( <sup>4</sup> )
3. Discount per cwt. applicable for each percent below the basic price requirements for:				
Germination <sup>3</sup> .....	\$0.16	\$0.09	\$0.16	\$0.10
Purity.....	\$0.09	\$0.025	\$0.20	\$0.10
4. Minimum eligibility requirements:				
Germination <sup>3</sup> .....	70	70	65	75
Purity.....	70	70	96	95
Total winter legume.....	98	98	( <sup>4</sup> )	( <sup>4</sup> )
Noxious weeds permitted.....	( <sup>4</sup> )	( <sup>4</sup> )	None	( <sup>4</sup> )
Common weed not to exceed.....	( <sup>4</sup> )	( <sup>4</sup> )	1%	2%
Other crop seed permitted.....	( <sup>4</sup> )	( <sup>4</sup> )	2%	( <sup>4</sup> )

<sup>1</sup> Price of hairy vetch shall not be discounted due to the presence of woollypod.<sup>2</sup> Subject to announced bag discounts per cwt.<sup>3</sup> Live seed including hard seed.<sup>4</sup> The weighted average germination may be used in determining the germination of mixture of winter legume seed.<sup>5</sup> No requirements specified for this item. However, the total winter legume requirements where specified and the purity requirement for crimson clover and rye-grass must be met in order for seed to be eligible for purchase.<sup>6</sup> Minimum requirement for Willamette vetch will be in accordance with the rules and regulations of the authorized certification agency of the State wherein the crop was produced.<sup>7</sup> Hairy vetch and woollypod vetch will qualify as Willamette vetch provided there is at least 70 percent Willamette vetch present.

1946 CCC Seed Bulletin 1 (Purchase), Supp. 3.

## APPROVED BAGS

The following chart indicates the types of new bags approved for use in packaging seed of the 1946 crop and the discounts per cwt. where applicable:

Type	Net capacity	Discount per cwt.
a. For vetches:		
(1) 3-harness twill: (a) 36-inch 8-oz. or heavier.....	Lbs. 100	None
(2) Try-sax:		
(a) 36-inch 7.5-oz. or heavier.....	100	None
(b) 40-inch 8.25-oz. or heavier.....	100	None
(3) Osnaburg:		
(a) 36-inch 7-oz. or heavier.....	100	None
(b) 40-inch 2.05-yard or heavier.....	100	None
(4) Burlap: (a) 10-oz. or heavier.....	100	None
b. For crimson clover:		
(1) Try-sax (double seam):		
(a) 36-inch 7.5-oz. or heavier.....	100	None
(b) 40-inch 8.25-oz. or heavier.....	100	None
(2) Osnaburg (seamless or double seam): (a) 30-inch 7-oz. or heavier.....	100	None
(3) Seamless cotton 16-oz. ....	150	None
c. For common rye-grass:		
(1) Try-sax:		
(a) 36-inch 7.5-oz. or heavier.....	100	None
(b) 40-inch 8.25-oz. or heavier.....	100	None
(2) Osnaburg: (a) 30-inch 7-oz. or heavier.....	100	None
(3) Burlap: (a) 8-oz. or heavier.....	100	None

[F. R. Doc. 47-241; Filed, Jan. 9, 1947;  
8:53 a. m.]

[1946 C. C. C. Seed Bulletin I (Loan) as Amended]

## PART 274—SEED LOANS AND PURCHASE

SUBPART—1946

This bulletin states the requirements with respect to the 1946 Seed Loan Program formulated by Commodity Credit Corporation and the Production and Marketing Administration. Loans will be made available on winter cover crop and legume and grass seed (hereinafter referred to as the "commodity") produced in 1946 in accordance with this bulletin.

- Sec.
- 274.15 Administration of program.
- 274.16 Availability of loans.
- 274.17 Approved lending agencies.
- 274.18 Eligible producer.
- 274.19 Eligible commodity.
- 274.20 Eligible storage.
- 274.21 Approved forms.
- 274.22 Determination of quantity.
- 274.23 Determination of quality.
- 274.24 Liens.
- 274.25 Charges to be paid by producer.
- 274.26 Set-offs.
- 274.27 Loan rates.
- 274.28 Interest rate.
- 274.29 Transfer of producer's equity.
- 274.30 Safeguarding of the commodity.
- 274.31 Insurance.
- 274.32 Loss or damage to the commodity.
- 274.33 Personal liability.
- 274.34 Maturity and satisfaction.
- 274.35 Removal of the commodity.
- 274.36 Release of the commodity.
- 274.37 Storage allowance.
- 274.38 Purchase of notes.
- 274.39 Offices of directors of Grain Branch.

AUTHORITY: §§ 274.15 to 274.39, inclusive, issued under Article Third, par. (b) of Corporate Charter of Commodity Credit Corporation; sec. 7 (a), 49 Stat. 4, as amended, sec. 302 (a) 52 Stat. 43, as amended, sec. 4 (b) 55 Stat. 498, 56 Stat. 768; 15 U. S. C. and Sup. 713 (a), 713a-8 (b), 7 U. S. C. 1302 (a).

§ 274.15 *Administration of program.* The program will be administered at the county level by the county agricultural conservation committees under the general supervision of the respective State committees.

Forms may be obtained from county committees in areas where loans are available, or from the office of the Director of the Grain Branch serving the area. State and county committees will determine or cause to be determined the quantity and grade of the commodity and the amount of the loan. All documents will be completed and approved by the county committee, which will retain copies of all documents: *Provided, however,* That the county committee may designate in writing certain employees of the county agricultural conservation association to execute such forms on behalf of the committee.

The county committee will furnish the borrower with the names of local lending agencies approved for making disbursements on loan documents, or with the address of the Grain Branch office to which loan documents may be forwarded for disbursement.

§ 274.16 *Availability of loans.* (a) Seed loans shall be available in the areas where the seed is produced. Insofar as is practicable, warehouse rather than farm storage shall be required by the county committee in all areas.

(b) Seed loans shall be available after the 1946 harvest season begins. Loan documents must be completed prior to September 1, 1946, for blue lupine and February 15, 1947, for other seeds.

§ 274.17 *Approved lending agencies.* An approved lending agency shall be any bank, cooperative marketing association, corporation, partnership, individual, or other legal entity with which the Commodity Credit Corporation has entered into a Lending Agency Agreement (Form PMA-97) or other lending agency agreement prescribed by Commodity Credit Corporation.

§ 274.18 *Eligible producer.* An eligible producer shall be any individual, partnership, association, corporation, or other legal entity producing the commodity in 1946, as landowner, landlord, tenant, share cropper, or custom harvester.

§ 274.19 *Eligible commodity—*(a) *Eligible seed.* Any seed specified in the attached schedule (Supplement 1, to this bulletin) of specifications and loan rates which is harvested in 1946 by an eligible producer, which can be or is cleaned to meet the specifications, and which does not contain noxious weeds or seeds of White Top, Canada Thistle, Dodder, Quackgrass, Johnson Grass, Bindweed, Russian Knapweed, Perennial Sow Thistle, or Leafy Spurge singly or combined in excess of 45 seeds per pound (90 in unhulled lespedeza seed) is eligible for a loan when placed in proper storage, if the beneficial interest is and always has been in the eligible producer tendering the seed for a loan, or in him and a former producer whom he succeeded before, or at the time, the seed was harvested.

(b) *Alfalfa areas.* In determining seed specifications for alfalfa, three regional areas, northern, central, and southern, are recognized based on adaptation. The Northern Region includes all producing areas north of the southern boundaries of Idaho, Nebraska, Oregon, and Wyoming, and eastward in counties which are north of, or intersected by, the 40th degree of latitude. The Central Region includes all the producing areas south of the Northern Region and north of the 37th degree of latitude (excluding California north of the 37th degree of latitude except the counties of Plumas, Tehama, and those counties north of the 40th degree of latitude, but including all counties south of the 37th degree of latitude in Kentucky, Missouri, Nevada, and Virginia). Approved origin alfalfa seed in Oklahoma tagged and sealed with the official tags and seals of the Oklahoma Crop Improvement Association will be at the rates specified for the Central Region. The Southern Region includes all the producing areas south of the Central Region.

(c) *Certified seed.* Varieties or strains of hay and pasture seeds designated by State agricultural experiment stations in cooperation with State seed certifying agencies, and Bureau of Plant Industry, Soils and Agricultural Engineering of the U. S. Department of Agriculture will be eligible for loans as "certified seed."



Seed of these varieties or strains are to be certified by the State seed certifying agency of the State where grown. The standards and procedures for certification of each State must be approved by the executive committee of the International Crop Improvement Association or its designated agent.

§ 274.20 *Eligible storage*—(a) *Farm*. Only inspected and approved structures will qualify. Farm storage is applicable only to Sudan grass seed, uncertified orchard grass seed, and to Kobe lespedeza and only in areas designated by the Field Service Branch. Farm storage shall consist of farm buildings which are of such substantial and permanent construction as determined by the county agricultural conservation committee as to afford safe storage of the seed for a period of 2 years and permit effective fumigation for the destruction of insects and afford protection against rodents, other animals, thieves, and weather.

(b) *Warehouse*. Seed shall be stored in a warehouse which has executed a Seed Cleaning and Storage Agreement on CCC Seed Form A and which complies with other provisions of the bulletin. Upon delivery of the seeds to producers on payment of their loans, warehousemen shall label all seed as required by the Federal Seed Act and the applicable State seed law. Upon delivery of the seed to CCC, warehousemen shall label all seed as required by the Federal Seed Act and the seed law of the State or country into which shipment is directed by CCC.

§ 274.21 *Approved forms*. The approved forms constitute the loan documents which govern the rights and responsibilities of the producer, and should be read carefully. Any fraudulent representation made by a producer in obtaining a loan or in executing any of the loan documents will render him subject to prosecution under the United States Criminal Code.

(a) Approved forms for farm storage shall consist of producer's notes on CCC Commodity Form A, secured by chattel mortgages on CCC Commodity Form AA.

(b) Approved forms for warehouse storage shall consist of note and loan agreements, CCC Commodity Form B, secured by negotiable warehouse receipts representing the commodity stored in approved warehouses.

(c) Notes and note and loan agreements must be executed in accordance with these instructions, with State and documentary revenue stamps affixed thereto where required by law. Notes and note and loan agreements executed by an administrator, executor, or trustee will be acceptable only where legally valid.

§ 274.22 *Determination of quantity*. The actual weight of the seed shall constitute the quantity of seed to be under loan; except that the quantity of Sudan Grass or Kobe Lespedeza Seed in farm storage may be determined by multiplying the number of net cubic feet in the bin times 30 for Sudan and 22 for Kobe, times the percent of pure seed as determined by the analysis, and the product shall be the pounds of seed to be placed under loan. The quantity of uncertified orchard grass in farm storage may be

determined by multiplying the number of net cubic feet in the bin, times 11, times the percent of pure seed as determined by the analysis and the product shall be the pounds of seed to be placed under loan. Measurements and computation shall be according to instructions in AAA Commodity Loan Form 2, Part 1.

§ 274.23 *Determination of quality*. The county agricultural conservation committee shall arrange for the securing of a representative sample for the determination of quality. The sample shall be sent to a laboratory approved by the Field Service Branch for analysis and germination test. The analysis shall show pure seed, other crop seed, weed seed, inert matter, and noxious weed seeds and germination.

§ 274.24 *Liens*. The commodity must be free and clear of all liens and encumbrances, or if liens or encumbrances exist on the commodity, proper waivers must be obtained.

§ 274.25 *Charges to be paid by producer*—(a) *Service fees*. Where the commodity is farm-stored the producer shall pay a service fee of 2 cents per hundredweight but not less than \$3.00; and where the commodity is warehouse-stored the producer shall pay a service fee of 1 cent per hundredweight but not less than \$1.50.

(b) *Other charges*. Costs of cleaning, bags and bagging, testing, tagging, fumigating if necessary, and transportation to approved warehouses are to be borne by the producer. Such costs should not exceed the charges provided in the CCC cleaning and storage agreement for seed processors. In case of warehouse storage in bulk or otherwise where the seed is not ready for merchandising, the cost of the above items not paid for by the producer shall be deducted from the amount of the loan.

§ 274.26 *Set-offs*. A producer who is listed on the county AAA debt register as indebted to any agency or corporation of the United States Department of Agriculture shall designate the agency or corporation to which he is indebted as the payee of the proceeds of the loan to the extent of such indebtedness, but not to exceed that portion of the proceeds remaining after deductions of the service fees and amounts due prior lienholders. Indebtedness owing to the Commodity Credit Corporation shall be given first consideration after claims of prior lienholders.

§ 274.27 *Loan rates*. Loan and settlement rates for the designated qualities of seed are set out in attached 1946 CCC Seed Bulletin 1 (Loan), Supplement 1.

§ 274.28 *Interest rate*. Loans shall bear interest at the rate of 3 percent per annum; and interest shall accrue from the date of disbursement of the loan, notwithstanding the printed provisions of the note.

§ 274.29 *Transfer of producer's equity*. The right of the producer to transfer either his right to redeem the commodity or his remaining interest may be restricted by Commodity Credit Corporation.

§ 274.30 *Safeguarding of the commodity*. The producer is obligated to

maintain the farm-storage structures in good repair, and to keep the commodity in good condition.

§ 274.31 *Insurance*. Commodity Credit Corporation will not require the producer to insure the commodity placed under farm-storage loan; however, if the producer does insure such commodity such insurance shall inure to the benefit of Commodity Credit Corporation to the extent of its interest, after first satisfying the producer's equity in the commodity involved in the loss.

§ 274.32 *Loss or damage to the commodity*. The producer is responsible for any loss in quantity or quality to farm-stored commodity, except that uninsured physical loss or damage occurring without fault, negligence, or conversion on the part of the producer resulting solely from an external cause other than insect infestation or vermin will be assumed by the Corporation, provided the producer has given the county committee immediate notice in writing of such loss or damage, and provided there has been no fraudulent representation made by the producer in the loan documents or in obtaining the loan.

§ 274.33 *Personal liability*. The making of any fraudulent representation by the producer in the loan documents or in obtaining the loan, or the conversion or unlawful disposition of any portion of the commodity by him, shall render the producer personally liable for the amount of the loan and for any resulting expense incurred by any holder of the note.

§ 274.34 *Maturity and satisfaction*. Loans mature on demand but not later than September 1, 1946, for blue lupine, March 15, 1947, for all varieties of lespedeza and uncertified orchard grass, and April 30, 1947, for other seeds. In the case of farm-storage loans, the producer is required to pay off his loan on or before maturity date, or to deliver the mortgaged commodity within 60 days after maturity date. Credit will be given for the total quantity delivered, provided it was stored in the bins in which the commodity under loan was stored, at the applicable settlement rate, according to quality. If the settlement value of the commodity delivered exceeds the amount due on the loan, the amount of the excess shall be paid to the producer. If the settlement value of the commodity is less than the amount due on the loan, the amount of the deficiency, plus interest, shall be paid by the producer to the Corporation, and may be set off against any payment which would otherwise be made to the producer under any agricultural programs administered by the Secretary of Agriculture, or any other payments which are due or may become due to the producer from Commodity Credit Corporation or any other agency of the United States. In the event the farm is sold or there is a change of tenancy, the commodity may be delivered before the maturity date of the loan upon prior approval by the county committee.

§ 274.35 *Removal of the commodity*. If the loan is not satisfied upon maturity by payment, or delivery, the holder of the note may remove the commodity and sell it, either by separate contract or after pooling it with other lots of the same



commodity similarly held. The producer has no right of redemption after the commodity is pooled, but shall share ratably in any overplus remaining upon liquidation of the pool. The Commodity Credit Corporation shall have the right to treat a pooled commodity as a reserve supply to be marketed under such sales policies as the Corporation determines will promote orderly marketing, protect the interests of producers and consumers, and not unduly impair the market for the current crop of the commodity, even though part or all of such pooled commodity is disposed of under such policies at prices less than the current domestic price for such commodity. Any sum due the producer as a result of the sale of the commodity or of insurance proceeds thereon, or any ratable share resulting from the liquidation of a pool, shall be payable only to the producer without right of assignment by him.

§ 274.36 *Release of the commodity.* A producer may obtain release of the commodity by paying to the holder of the note, or note and loan agreement, the principal amount thereof, plus interest. If the note is held by an out-of-town lending agency or by Commodity Credit Corporation, the producer may request that the note be forwarded to a local bank for collection. In such case, where Commodity Credit Corporation is the holder of the note, the local bank will be instructed to return the note if payment is not effected within 15 days. All charges in connection with the collection of the note shall be paid by the producer. Upon payment of a farm-storage loan, the county committee should be requested to release the mortgage by filing an instrument of release or by a marginal release on the county records. Partial releases of the commodity may be arranged with the county committee by paying to the holder of the note the amount of the loan, plus charges and accrued interest, represented by the quan-

tity of the commodity to be released. In case of warehouse-storage loans, each partial release must cover all of the commodity under one warehouse receipt number.

§ 274.37 *Storage allowance.* On farm-stored Sudan Grass and Kobe Lespedeza seed a storage allowance of 10 cents per 100 pounds on the quantity of seed shown on the loan document less any amount owing the Corporation will be paid borrowers if the seed is delivered to Commodity Credit Corporation after March 15 for Kobe Lespedeza or after April 30, 1947, for Sudan Grass, provided there has been no fraudulent representation or conversion of any part of the collateral by the producer, and the collateral has not been abandoned or has not become damaged or impaired through the fault or negligence of the producer. The storage allowance will also be paid if, pursuant to demand by the Corporation or agreement for repayment of the loan, the Kobe Lespedeza or Sudan Grass seed is delivered to the Corporation before March 15 for Kobe Lespedeza or April 30, 1947, for Sudan Grass, provided the demand for repayment was not due to any fraudulent representation on the part of the borrower or was not made because the seed was damaged, threatened with damage, abandoned, or otherwise impaired.

For other seeds, the maximum warehousing charges that may be paid by Commodity Credit Corporation if the seed becomes the property of CCC is stated in attached CCC Seed Form A, Supplement 1-1946.

§ 274.38 *Purchase of notes.* Commodity Credit Corporation will purchase, from approved lending agencies, notes evidencing approved loans which are secured by chattel mortgages or negotiable warehouse receipts. The purchase price to be paid by Commodity Credit Corporation will be the principal sums remaining due on such notes, plus accrued interest from the date of disbursement to

the date of purchase at the rate of 1½ percent per annum. Lending agencies are required to submit a weekly report to the Corporation and to the county committees on 1940 CCC Form F or such other form as the Corporation may prescribe, of all payments received on producer's notes held by them, and are required to remit promptly to Commodity Credit Corporation an amount equivalent to 1½ percent interest per annum, on the amount of the principal collected, from the date of disbursement to the date of payment. Lending agencies should submit notes and reports to the Grain Branch office serving the area.

§ 274.39 *Offices of Directors of Grain Branch.* The offices of the area directors of the Grain Branch, and the areas served by them, are shown below:

*Address of Director and Area*

208 South La Salle Street, Chicago, Ill.: Connecticut, Delaware, Illinois (except East St. Louis), Indiana, Iowa, Kentucky, Maryland, Maine, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, and West Virginia.

212 West 14th Street, Kansas City 8, Mo.: Alabama, Arkansas, Colorado, Georgia, Florida, Kansas, Louisiana, Mississippi, Missouri (also East St. Louis), Nebraska, New Mexico, Oklahoma, South Carolina, Texas, and Wyoming.

Eastern Outfitting Building, 515 S. W. Tenth and Washington Street, Portland 5, Ore.: Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington.

326 McKnight Building, Minneapolis 1, Minn.: Minnesota, Montana, North Dakota, South Dakota, and Wisconsin.

Date of program announcement, May 20, 1946.

[SEAL] C. C. FARRINGTON,  
Vice President,  
Commodity Credit Corporation.

NOTE: The foregoing document covers 1946 C. C. C. Seed Bulletin I (loan), issued by Commodity Credit Corporation May 20, 1946, and amendment No. 1 to said Bulletin issued on August 29, 1946.

1946 CCC SEED BULLETIN I (LOAN), SUPPL. 1.

TABLE I—SCHEDULE OF LOAN RATES WITH BASIC SPECIFICATIONS FOR HAY AND PASTURE SEEDS  
(Percentage of seed purity, germination, maximum weed content and maximum mixture of other crops for the various crop seeds)

Kind of seed	Basic specifications		Loan rate <sup>18</sup>		Maximum weed seed	Maximum other crops	Minimum pure seed	Minimum germination <sup>1</sup>	Percentage discount in loan rate for specified percentage below basic specifications			
	Pure seed	Germination <sup>1</sup>	Uncertified	Certified approved varieties					Pure seed		Germination	
									Percent below	Percent discount	Percent below	Percent discount
	Percent	Percent	Cents per pound	Cents per pound	Percent	Percent	Percent	Percent	Percent	Percent	Percent	Percent
Alfalfa:												
Northern	98	90	33	40	1	2.5	95	80	1	3	5	7
Central <sup>4</sup>	98	90	30	37	1	2.5	95	80	1	3	5	7
Southern	98	90	26	33	1	2.5	95	80	1	3	5	7
Alsike clover	97	90	25		1	5	95	80	1	3	5	7
Alyce clover	98	90	18		1	5	95	80	1	3	5	7
Black medic	97	90	20		1	5	95	80	1	3	5	7
Cluster clover or Persian clover	97	90	25		1	5	95	80	1	3	5	7
Yellow hop clover	97	90	35		1	5	95	80	1	3	5	7
Ladino clover	99	90		135	5	5	95	80	1	2	5	7
Red clover	98	90	28	34	1	2.5	95	80	1	3	5	7
Hibam sweetclover	98	90	8		1	5	95	80	1	3	5	7
Biennial white sweetclover	98	90	8	15	1	5	95	80	1	3	5	7
Biennial yellow sweetclover	98	90	8	15	1	5	95	80	1	3	5	7
Biennial mixed sweetclover	98	90	7		1	5	95	80	1	3	5	7
White Clover <sup>5</sup>	98	90	50		5	5	95	80	1	2	5	7
Tennessee No. 76 or common lespedeza <sup>6</sup>	98	90	16		1	5	95	80	1	3	5	7
Kobe lespedeza	98	90	12		1	5	95	80	1	3	5	7
Sericea lespedeza	98	90	15		1	5	95	80	1	3	5	7
Sericea lespedeza, scarified	98	90	18		1	5	95	80	1	3	5	7
Southern clover mixture <sup>10</sup>	98	90			1	5	95	80				
Winter peas, Austrian	14 90	13 90	13 3.5		1	2	14 70	75	5	1.5	5	7
Rough pea	17 98	90	16 5		1	5	17 94	75	1	3	5	7

Footnotes at end of table,



TABLE I—SCHEDULE OF LOAN RATES WITH BASIC SPECIFICATIONS FOR HAY AND PASTURE SEEDS—Continued  
[Percentage of seed purity, germination, maximum weed content and maximum mixture of other crops for the various crop seeds]

Kind of seed	Basic specifications		Loan rate <sup>1</sup>		Maximum weed seed	Maximum other crops	Minimum pure seed	Minimum germination <sup>1</sup>	Percentage discount in loan rate for specified percentage below basic specifications			
	Pure seed	Germination <sup>1</sup>	Uncertified	Certified approved varieties					Pure seed		Germination	
									Percent below	Percent discount	Percent below	Percent discount
Percent	Percent	Cents per pound	Cents per pound	Percent	Percent	Percent	Percent	Percent	Percent	Percent	Percent	
Blue lupine.....	99	90	5	5	1	5	95	75	1	3	5	7
Bahia grass.....	72	70	20	30	1	5	62	60	5	15	5	9
Little or big bluestem.....	40	50	20	25	2	5	20	30	5	15	10	24
Sand bluestem.....	40	60	25	25	2	5	20	40	5	15	10	20
Smooth bromegrass.....	92	85	15	15	1	5	88	75	2	6	5	7.5
Buffalo grass.....	85	50	35	50	2	5	65	30	5	15	10	24
Dallis grass.....	30	70	20	20	1.5	5	20	50	5	20	10	18
Blue grama.....	50	75	15	20	2	5	35	55	5	15	10	17
Side-Oats grama.....	25	75	20	25	2	5	15	55	5	20	10	17
Orchard grass <sup>13</sup> .....	85	85	15	15	2	5	75	75	5	15	5	7.5
Sudan grass.....	98	85	19.4	5	5	5	96	75	1	3	5	7.5
Switchgrass.....	80	80	20	25	2	5	70	60	5	15	10	16
Timothy.....	99	90	6	6	5	5	96	80	1	5	5	7
Weeping lovegrass.....	90	90	50	50	2	11.5	75	70	5	15	10	14
Mixed bluestem <sup>11</sup> .....							30	30				
Mixed grama <sup>12</sup> .....					2	12.5	25	55				

<sup>1</sup> Percentage of germination includes hard seed.

<sup>2</sup> Not more than 2 percent of sweetclover.

<sup>3</sup> Not more than 15 percent hard seed.

<sup>4</sup> Including approved origin alfalfa seed in Oklahoma.

<sup>5</sup> In Alabama, Florida, Georgia, Louisiana and Mississippi only.

<sup>6</sup> Does not include Korean lespedeza.

<sup>7</sup> Not more than 25 percent hard seed.

<sup>8</sup> Not in excess of 30 percent of seed with hulls removed.

<sup>9</sup> Not more than 1 percent sand dropseed.

<sup>10</sup> Southern Clover Mixture (Black Medic, White, Hop and Persian Clover Mixture): Loans will be made at the respective rates on quantities of Black Medic, White Clover, Hop Clover and Persian Clover in the mixture. The pure seed of the mixture and the germination of each component will be used in determining the value. Maximum weed seed 1 percent. Maximum other crop seed 5 percent.

<sup>11</sup> Mixed Bluestem: Loans will be made at the respective rates on quantities of big bluestem, little bluestem and sand bluestem in the mixture; provided the mixture contains at least 30 percent of two or more of these seeds; not more than 1 percent sand dropseed and not more than 5 percent of grass seeds other than switchgrass, side-oats grama and Indian grass. The pure seed of the mixture and the germination of each component will be used in determining the value. Maximum weed seed 2 percent.

<sup>12</sup> Mixed Grama: Loans will be made at the respective rates on quantities of blue grama and side-oats grama in the mixture; provided the mixture contains at least 25 percent of blue grama and side-oats grama; not more than 1 percent sand dropseed and not more

than 5 percent of grass seeds other than Buffalo grass, bluestems, switchgrass and Indian grass. The pure seed of the mixture and the germination of each component will be used in determining the value. Maximum weed seed 2 percent.

<sup>13</sup> Loans on farm-stored seed:

Loans will be made on farm-stored Sudan grass seed on the basis of the pure seed content at the following rate per 100 pounds:

Germination—85 to 100% @ \$3.00, 80 to 84% @ \$2.77, 75 to 79% @ \$2.55.

Loans will be made on farm-stored Kobe Lespedeza on the basis of the pure seed content at the following rate per 100 pounds: Germination—90 to 100% @ \$9.00, 85 to 89% @ \$8.37, 80 to 84% @ \$7.74.

Loans will be made on farm-stored Sudan and Kobe Lespedeza seeds only in approved major-producing areas.

Loans will be made on farm-stored uncertified orchard grass seed on the basis of pure seed content at the following rate per 100 pounds: Germination—85 to 100% @ \$7.00, 80 to 84% @ \$6.48, 75 to 79% @ \$5.95.

<sup>14</sup> Total winter legumes 98 percent.

<sup>15</sup> For mixtures of winter legumes seed the weighted average germination may be used.

<sup>16</sup> For seed produced in the Southern and East Central Regions add 1 cent per pound.

<sup>17</sup> Total winter legumes must be not less than 80 percent Rough Peas.

<sup>18</sup> Loan rates are also settlement rates if the commodity is delivered to CCC.

<sup>19</sup> Orchard grass seed shall not contain more than 15 onion bulblets per 50 grams.

TABLE II—SCHEDULE OF SEED LOAN RATES PER 100 POUNDS AND SEED SPECIFICATIONS

Kind of seed	Pure seed (percent)	Germination and hard seed			Kind of seed	Pure seed (percent)	Germination and hard seed		
		90 to 100 percent	85 to 89 percent	80 to 84 percent			90 to 100 percent	85 to 89 percent	80 to 84 percent
Alfalfa, northern common (maximum—1 percent weed seed; 5 percent other crop seed; 2 percent sweetclover).	98	\$33.06	\$30.69	\$28.38	Alyce clover (maximum—1 percent weed seed; 5 percent other crop seed).	98	\$18.00	\$16.74	\$15.48
	97	32.01	29.70	27.39		97	17.46	16.20	14.94
	96	31.02	28.71	26.40		96	16.92	15.66	14.40
	95	30.03	27.72	25.41		95	16.38	15.12	13.86
Alfalfa, northern certified (maximum—1 percent weed seed; 5 percent other crop seed; 2 percent sweetclover).	98	40.00	37.40	34.41	Cluster clover or Persian clover (maximum—1 percent weed seed; 5 percent other crop seed).	97	25.00	23.25	21.50
	97	38.80	36.00	33.20		96	24.25	22.50	20.75
	96	37.60	34.80	32.00		95	23.50	21.75	20.00
	95	36.40	33.60	30.80	Yellow hop clover (maximum—1 percent weed seed; 5 percent other crop seed).	97	35.00	32.55	30.10
Alfalfa, central common (includes Oklahoma approved origin seed) (Maximum—1 percent weed seed; 5 percent other crop seed; 2 percent sweetclover).	98	34.00	27.90	25.80		96	33.95	31.50	29.05
	97	29.10	27.00	24.90		95	32.90	30.45	28.00
	96	28.20	26.10	24.00	Black medic (maximum—1 percent weed seed; 5 percent other crop seed).	97	20.00	18.60	17.20
	95	27.30	25.20	23.10		96	19.40	18.00	16.60
Alfalfa, central certified (maximum—1 percent weed seed; 5 percent other crop seed; 2 percent sweetclover).	98	37.00	34.41	31.82		95	18.80	17.40	16.00
	97	35.89	33.30	30.71	Biennial white or yellow sweetclover, common (maximum—1 percent weed seed; 5 percent other crop seed; 15 percent hard seed).	98	8.00	7.44	6.88
	96	34.78	32.19	29.60		97	7.76	7.20	6.64
	95	33.67	31.08	28.49		96	7.52	6.96	6.40
Alfalfa, southern common (maximum—1 percent weed seed; 5 percent other crop seed; 2 percent sweetclover).	98	26.00	24.18	22.36		95	7.28	6.72	6.16
	97	25.22	23.40	21.58	Biennial white or yellow sweetclover, certified (maximum—1 percent weed seed; 5 percent other crop seed; 15 percent hard seed).	98	15.00	13.95	12.90
	96	24.44	22.62	20.80		97	14.55	13.50	12.45
	95	23.66	21.84	20.02		96	14.10	13.05	12.00
Alfalfa, southern certified (maximum—1 percent weed seed; 5 percent other crop seed; 2 percent sweetclover).	98	33.00	30.69	28.38		95	13.65	12.60	11.55
	97	32.01	29.70	27.39	Biennial mixed sweetclover (maximum—1 percent weed seed; 5 percent other crop seed; 15 percent hard seed).	98	7.00	6.51	6.02
	96	31.02	28.71	26.40		97	6.79	6.30	5.81
	95	30.03	27.72	25.41	Hubam sweetclover (maximum—1 percent weed seed; 5 percent other crop seed; 15 percent hard seed).	96	6.58	6.09	5.60
Red clover, common (maximum—1 percent weed seed; 5 percent other crop seed; 2 percent sweetclover).	98	28.00	26.04	24.08		95	6.37	5.88	5.39
	97	27.16	25.20	23.24	Sericea lespedeza (maximum—1 percent weed seed; 5 percent other crop seed).	98	8.00	7.44	6.88
	96	26.32	24.36	22.40		97	7.76	7.20	6.64
	95	25.48	23.52	21.56		96	7.52	6.96	6.40
Red clover, certified (maximum—1 percent weed seed; 5 percent other crop seed; 2 percent sweetclover).	98	34.00	31.62	29.24		95	7.28	6.72	6.16
	97	32.98	30.60	28.22	Sericea lespedeza (maximum—1 percent weed seed; 5 percent other crop seed).	98	15.00	13.95	12.90
	96	31.96	29.58	27.20		97	14.55	13.50	12.45
	95	30.94	28.56	26.18		96	14.10	13.05	12.00
Alsike clover (maximum—1 percent weed seed; 5 percent other crop seed).	97	25.00	23.25	21.50	Sericea lespedeza, scarified (maximum—1 percent weed seed; 5 percent other crop seed; 25 percent hard seed).	95	13.65	12.60	11.55
	96	24.25	22.50	20.75		98	18.00	16.74	15.48
	95	23.50	21.75	20.00		97	17.46	16.20	14.94
Ladino clover, certified (maximum—5 percent weed seed; 5 percent other crop seed).	99	135.00	125.55	116.10		96	16.92	15.66	14.40
	98	132.30	122.85	113.40		95	16.38	15.12	13.86
	97	129.60	120.15	110.70	Tennessee No. 76 or common lespedeza (not Korean) (maximum—1 percent weed seed; 5 percent other crop seed).	98	16.00	14.88	13.76
	96	126.90	117.45	108.00		97	15.52	14.40	13.28
	95	124.20	114.75	105.30		96	15.04	13.92	12.80
White clover (maximum—0.5 percent weed seed; 5 percent other crop seed).	98	50.00	46.50	43.00		95	14.56	13.44	12.32
	97	49.00	45.50	42.00	Kobe lespedeza (maximum—1 percent weed seed; 5 percent other crop seed).	98	12.00	11.16	10.32
	96	48.00	44.50	41.00		97	11.64	10.80	9.96
	95	47.00	43.50	40.00		96	11.28	10.44	9.60
						95	10.92	10.08	9.24



## RULES AND REGULATIONS

TABLE II—SCHEDULE OF SEED LOAN RATES PER 100 POUNDS AND SEED SPECIFICATIONS—Continued

Kind of seed	Pure seed (percent)	Germination and hard seed				Kind of seed	Pure seed (percent)	Germination and hard seed				
		90 to 100 percent	85 to 89 percent	80 to 84 percent	75 to 79 percent			90 to 100 percent	85 to 89 percent	80 to 84 percent	75 to 79 percent	
Kobe lespedeza, farm stored.....		\$9.00	\$8.37	\$7.74		Blue lupine (maximum—1 percent weed seed, 5 percent other crop seed).	\$99	\$5.00	\$4.65	\$4.30	\$3.95	
Austrian winter peas (minimum total winter legume 98 percent) (maximum-1 percent weed seed; 2 percent other crop seed.)	90	3.50	3.25	3.00	\$2.75		98	4.85	4.50	4.15	3.80	
	85	3.45	3.20	2.95	2.70		97	4.70	4.35	4.00	3.65	
	80	3.40	3.15	2.90	2.65		96	4.55	4.20	3.85	3.50	
	75	3.35	3.10	2.85	2.60		95	4.40	4.05	3.70	3.35	
	70	3.30	3.05	2.80	2.55							
Kind of seed						Total winter legumes	South	Other	South	Other	South	Other
						Percent						
Rough peas (Wild Winter Caley, Singletary, Peavine) (maximum-1 percent weed seed; 5 percent other crop seed).						98	\$6.00	\$5.00	\$5.65	\$4.65	\$5.30	\$4.30
						97	5.85	4.85	5.50	4.50	5.15	4.15
						96	5.70	4.70	5.35	4.35	5.00	4.00
						95	5.55	4.55	5.20	4.20	4.85	3.85
						94	5.40	4.40	5.05	4.05	4.70	3.70
Kind of seed	Pure seed (percent)	Germination			Kind of seed	Pure seed (percent)	Germination					
		70 to 100 percent	65 to 69 percent	60 to 64 percent			85 to 100 percent	80 to 84 percent	75 to 79 percent			
Bahia grass, common (maximum—.5 percent weed seed; 5 percent other crop seed).	72	\$20.00	\$18.20	\$16.40	Smooth Bromegrass, Certified (Maximum: 1% Weed Seed; 5% Other Crop Seed).	92	\$15.00	\$13.88	\$12.76			
	67	17.00	15.20	13.40		90	14.10	12.98	11.86			
	62	14.00	12.20	10.40	Orchard Grass, Certified (Maximum: 2% Weed Seed; 5% Other Crop Seed).	88	13.20	12.08	10.96			
Bahia grass, certified (maximum—.5 percent weed seed; 5 percent other crop seed).	72	30.00	27.30	24.60		85	15.00	13.88	12.76			
	67	25.50	22.80	20.10	Orchard Grass, Uncertified (Maximum: 2% Weed Seed; 5% Other Crop Seed; 15% Onion bulblets to 50 grams).	80	12.75	11.63	10.51			
	62	21.00	18.30	15.60		75	10.50	9.38	8.26			
Germination and hard seed					Orchard Grass, Uncertified Farm-stored	85	10.00	9.25	8.50			
					Sudan Grass, Common (Maximum: 5% Weed Seed; 5% Other Crop Seed).	80	8.50	7.75	7.00			
						75	7.00	6.25	5.50			
					Orchard Grass, Uncertified Farm-stored	70	7.00	6.48	5.95			
					Sudan Grass, Common, Farm-stored	98	4.00	3.70	3.40			
						97	3.88	3.58	3.28			
					Sudan Grass, Certified (Maximum: 5% Weed Seed; 5% Other Crop Seed).	96	3.76	3.46	3.16			
						95	3.00	2.77	2.55			
						94	5.00	4.62	4.24			
						93	4.85	4.47	4.09			
						92	4.70	4.32	3.94			
							180 to 100 percent	70 to 79 percent	60 to 69 percent			
Sand bluestem, common (maximum—2 percent weed seed; 5 percent other crop seed; 1 percent sand dropseed).	40	\$25.00	\$20.00	\$15.00	Switchgrass, Common (Maximum: 2% Weed Seed; 5% Other Crop Seed; 1% Sand Dropseed).	80	\$20.00	\$16.80	\$13.60			
	35	21.25	16.25	11.25		75	17.00	13.80	10.60			
	30	17.50	12.50	7.50	Switchgrass, Certified (Maximum: 2% Weed Seed; 5% Other Crop Seed; 1% Sand Dropseed).	70	14.00	10.80	7.60			
	25	13.75	8.75	3.75		65	25.00	21.00	17.00			
	20	10.00	5.00	-----	Timothy, certified (maximum—.5 percent weed seed; 5 percent other crop seed; 30 percent seed with hulls removed).	75	21.25	17.25	13.25			
Germination and hard seed						70	17.50	13.50	9.50			
						65	6.00	5.53	5.18			
						60	5.70	5.28	4.86			
						55	5.40	4.98	4.56			
						50	5.10	4.68	4.26			
							90 to 100 percent	80 to 89 percent	70 to 79 percent			
Little or big bluestem, common (maximum—2 percent weed seed; 5 percent other crop seed; 1 percent sand dropseed).	40	\$20.00	\$15.20	\$10.40	Weeping lovegrass, common (maximum—2 percent weed seed; 5 percent other crop seed).	90	\$50.00	\$43.00	\$36.00			
	35	17.00	12.20	7.40		85	42.50	35.50	28.50			
	30	14.00	9.20	4.40		80	35.00	28.00	21.00			
	25	11.00	6.20	1.40		75	27.50	20.50	13.50			
	20	8.00	3.20	-----			75 to 100 percent	65 to 74 percent	55 to 64 percent			
Little or big bluestem, certified (maximum—2 percent weed seed; 5 percent other crop seed; 1 percent dropseed).	40	25.00	19.00	13.00	Blue grama, common (maximum—2 percent weed seed; 5 percent other crop seed; 1 percent sand dropseed).	50	\$15.00	\$12.45	\$9.90			
	35	21.25	15.25	9.25		45	12.75	10.20	7.65			
	30	17.50	11.50	5.50	Blue grama, certified (maximum—2 percent weed seed; 5 percent other crop seed; 1 percent sand dropseed).	40	10.50	7.95	5.40			
	25	13.75	7.75	1.75		35	8.25	5.70	3.15			
	20	10.00	4.00	-----		30	20.00	16.00	13.20			
Germination						25	17.00	13.60	10.20			
						20	14.00	10.60	7.20			
						15	11.00	7.60	4.20			
Buffalo grass, common (maximum—2 percent weed seed; 5 percent other crop seed; 1 percent sand dropseed).	85	\$35.00	\$26.60	\$18.20	Side-oats grama, common (maximum—2 percent weed seed; 5 percent other crop seed; 1 percent sand dropseed).	25	20.00	16.00	13.20			
	80	29.75	21.35	12.95		20	16.00	12.60	9.20			
	75	24.50	16.10	7.70	Side-oats grama, certified (maximum—2 percent weed seed; 5 percent other crop seed; 1 percent sand dropseed).	15	12.00	8.60	5.20			
	70	19.25	10.85	2.45		10	25.00	20.75	16.50			
	65	14.00	5.60	-----		5	20.00	15.75	11.50			
Buffalo grass, certified (maximum—2 percent weed seed; 5 percent other crop seed; 1 percent sand dropseed).	85	50.00	38.00	26.00		15	15.00	10.75	6.50			
	80	42.50	30.50	18.50								
	75	35.00	23.00	11.00								
	70	27.50	15.50	8.50								
	65	20.00	8.00	-----								
Germination												
Dallis grass (maximum—1.5 percent weed seed; 5 percent other crop seed).	80	\$20.00	\$16.40	\$12.80								
	75	16.00	12.40	8.80								
	70	12.00	8.40	4.80								

1 Germination and hard seed.

[F. R. Doc. 47-240; Filed, Jan. 9, 1947; 8:46 a. m.]



**TITLE 7—AGRICULTURE****Subtitle A—Office of the Secretary of Agriculture****PART 7—PRICE DECONTROL AND RECONTROL  
FILING OF PRICE DECONTROL PETITIONS**

The regulations governing the filing of petitions for the decontrol of agricultural commodities issued by the Secretary of Agriculture on August 23, 1946, as amended (11 F. R. 9419, 9923) are hereby further amended as follows:

1. Section 7.1 *Applicability of the regulations in this part*, is amended by deleting therefrom all that part of said section beginning with the third sentence thereof.

2. Section 7.2 (f) is revised to read as follows:

§ 7.2 *General form and content of petitions.* \* \* \*

(f) Each petition must contain a statement that in the judgment of the committee either (1) the supply of the agricultural commodity equals or exceeds requirements for such commodity for the current marketing season, or (2) the commodity is not important in relation to business costs or living costs. Such statement must be supported by evidence in accordance with the provisions of § 7.5.

3. Section 7.5 is amended by changing the first sentence thereof to read as follows:

§ 7.5 *Matters to be covered by petitions and evidence in support thereof.* Any petition requesting decontrol on the basis that the commodity is no longer in short supply must contain analyses and written evidence directed to a showing that supply of the commodity equals or exceeds requirements for the current marketing season.

4. Section 7.5 is further amended by adding the following at the end of said § 7.5: "Any petition requesting decontrol on the basis of the nonimportance of the commodity must contain analyses and written evidence directed to a showing that the commodity is not important in relation to either business costs or living costs."

*Effective date.* This amendment shall become effective January 1, 1947.

Issued this 6th day of January 1947.

[SEAL] N. E. DODD,  
Acting Secretary.

[F. R. Doc. 47-214; Filed, Jan. 9, 1947; 8:49 a. m.]

**Chapter XI—Production and Marketing Administration (War Food Distribution Orders)**

[WFO 63-20]

**PART 1596—FOOD IMPORTS****PARTIAL REVISION OF APPENDIX A**

Pursuant to the authority vested in me by War Food Order No. 63, as amended (10 F. R. 103, 8950, 10419; 11 F. R. 2630, 5105), Appendix A is hereby revised as follows:

1. By deleting the following items therefrom:

Food	Commerce import class No.
Cocoa beans or cacao beans.....	1501.300
Cocoa butter (cacao butter).....	1420.000
Cocoa, unsweetened and sweetened.....	1502.100, 1502.300, 1502.900

2. By adding the following item thereto:

Food	Commerce import class No.
Cocoa, sweetened.....	1502.300, 1502.900

This amendment shall become effective at 12:01 a. m., e. s. t., January 7, 1947.

(E. O. 9280, Dec. 5, 1942, 7 F. R. 10179; E. O. 9577, June 29, 1945, 10 F. R. 8087)

Issued this 7th day of January 1947.

[SEAL] E. A. MEYER,  
Assistant Administrator,  
Production and Marketing  
Administration.

[F. R. Doc. 47-238; Filed, Jan. 9, 1947; 8:55 a. m.]

**TITLE 8—ALIENS AND NATIONALITY****Chapter II—Office of Alien Property, Department of Justice**

[Gen. Order 6. Reg. 2]

**PART 501—RULES OF PROCEDURE****COPY OF PROCESS REQUIRED TO BE SENT TO OFFICE OF ALIEN PROPERTY IN CERTAIN CASES**

Under the authority of the Trading with the Enemy Act, as amended, and Executive orders issued thereunder, and pursuant to law, the undersigned hereby issues the following regulation:

§ 501.6-2 *Copy of process required to be sent to Office of Alien Property in certain cases.* (a) A copy of any process or notice in any court or administrative action or proceeding involving property in the United States in which on December 31, 1946, a person in a designated enemy country had an interest, or income from such property accruing on or after December 31, 1946, which process or notice is to be served upon any such person, must in addition be sent by registered mail to the Office of Alien Property, Department of Justice, Washington 25, D. C. not less than 30 days prior to the date on which action pursuant to such process or notice is to be taken.

(b) Such process or notice shall otherwise conform to the rules, orders, or practice of the court or administrative body issuing such process or notice.

(c) For the purpose of this section:

(1) "Person" shall mean any individual, partnership, association, corporation, or body politic;

(2) "Income" shall include, without limitation, any interest, dividend, increment, proceeds, exchange, conversion, or other derivative, direct or indirect;

(3) "Designated enemy country" shall mean any foreign country against which the United States has declared war (Germany, Italy, Japan, Bulgaria, Hungary, and Rumania);

(4) Heirs-at-law and next-of-kin shall be deemed to have an interest in the estate of their decedent whether or not they are legatees under the will of said decedent.

(d) The provisions of this section shall not be applicable to any service of process or notice upon any person within Italy, Bulgaria, Hungary, or Rumania who is not a citizen or subject of Germany or Japan, in any court or administrative action or proceeding within the United States originally initiated or commenced after April 15, 1946.

(e) The receipt by the Office of Alien Property of a copy of any process or notice sent to it pursuant to this section shall not be considered service of such process or notice upon a person in an enemy country as provided for in § 501.6, unless:

(1) Specific request is made that it be so considered, and

(2) The Attorney General, or his duly authorized representative, files acceptance of such process or notice in the manner provided for in § 501.6.

(40 Stat. 411; 55 Stat. 839; 60 Stat. 50, 925; 50 U. S. C. App. 1, 50 U. S. C. App. Sup. 616; E. O. 9193, July 6, 1942, 7 F. R. 5205, 3 CFR, Cum. Supp.; E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C. this 7th day of January 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,  
Director.

[F. R. Doc. 47-237; Filed, Jan. 9, 1947; 8:48 a. m.]

**TITLE 10—ARMY: WAR DEPARTMENT****Chapter X—Areas Restricted for National Defense Purposes**

[Public Proclamation 26]

**PART 1005—ESTABLISHMENT OF MILITARY AREAS****HANFORD MILITARY AREA**

NOVEMBER 12, 1946.

To: The people within the States of Washington, Oregon, California, Montana, Idaho, Utah, Arizona and Nevada, and the public generally.

Whereas, the Secretary of War, on 2 May 1946, designated the Commanding General, Sixth Army, as the Military Commander to carry out the duties and responsibilities imposed by Presidential Executive Order No. 9066, dated 19 February 1942 (7 F. R. 1407) for that portion of the United States embraced within the geographical limits of the Sixth Army Command and directed that all orders, proclamations and amendments thereto, presently in effect, issued pursuant to the said Executive order by the Commanding General, Western Defense Command, were to remain in full force and effect unless and until modified or canceled by the Commanding General, Sixth Army or other competent authority; and

Whereas, that portion of the United States lying within the States of Arizona, Utah, Idaho, Montana, Nevada, Wash-



ington, Oregon and California is within the geographical limits of the Sixth Army Command; and

Whereas, despite the cessation of hostilities, a state of war and the emergencies created thereby continue to exist which require the maintenance of military measures for protection against espionage and sabotage in order that the objectives thus far achieved by our arms may be secured and that the said state of war be successfully concluded; and

Whereas, important national defense materials, premises and utilities are located in the vicinity of Hanford, State of Washington, which are endangered by sabotage and espionage conducted in connection therewith, and by Public Proclamation No. 18 (8 F. R. 10289), Headquarters Western Defense Command, the area wherein the said materials, premises and utilities are located was established and designated as "Total Exclusion Area No. 3"; and

Whereas, in order to prevent such sabotage and espionage, military necessity requires that the said area be continued as a Military Area, that two sections of land be added thereto, and that restrictions imposed upon the rights of persons to enter, remain in, or leave the said area be continued.

Now, therefore, I, George P. Hays, Major General, U. S. Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and my powers and prerogatives as Commanding General, Sixth Army, do hereby declare and proclaim that:

§ 1005.26 *Hanford Military Area.* (a) Pursuant to the determination and statement of military necessity and authority above set forth, the following described area, formerly designated as "Total Exclusion Area No. 3," is hereby established as a Military Area and designated "Hanford Military Area":

Beginning at the North East corner of Section 20, T15N, R27E, in Grant County, Washington, thence:

West along the North line of Sections 20, 19, T15N, R27E, 24, 23, 22, T15N, R26E, to the North West corner of Section 22, thence:

South along the West line of said Section 22, to its South West corner, thence:

West along the North line of Section 28, T15N, R26E, to its North West corner, thence:

South along the West line of said Section 28, to its South West corner, thence:

West along the North line of Section 32, in said township, to its North West corner, thence:

South along the West line of said Section 32, to its South West corner, thence:

West along the North line of Section 6, T14N, R26E, to its North West corner, thence:

South along the West line of said Section 6, to its South West corner, thence:

West along the North line of Section 12, T14N, R25E, to its North West corner, thence:

South along the West line of said Section 12, to its South West corner, thence:

West along the North line of Sections 14, 15, 16, 17, 18, T14N, R25E, to the North West corner of said Section 18, thence:

South along the West line of said Section 18, to its South West corner, thence:

West along the North line of Section 24, T14N, R24E, to its North West corner, thence:

South along the West line of said Section 24, to its South West corner, thence:

West along the North line of Section 26, T14N, R24E, to its North West corner, thence:

South along the West line of Sections 26, 35, T14N, R24E, and Section 2, T13N, R24E, to the South West corner of Section 2, thence:

West along the North line of Sections 10, 9, 8, 7, T13N, R24E, to the North West corner of said Section 7, thence:

North along the East line of Section 1, T13N, R23E, to its North East corner, thence:

West along the North line of Sections 1, 2, 3, T13N, R23E, to the North West corner of said Section 3, thence:

South along the West line of said Section 3, to its South West corner, thence:

East along the South line of said Section 3, to the South East corner of said Section 3, thence:

South along the West line of Section 11 to the South West corner of said Section 11, thence:

East along the South line of Sections 11 and 12 to the South East corner of said Section 12, thence:

South along the West line of Section 18, T13N, R24E, to the South West corner of said Section 18, thence:

East along the South line of Sections 18, 17, 16, 15, T13N, R24E, to the East line of the West half of said Section 15, thence:

South along the West line of the East half of Section 22, T13N, R24E, to the North line of Section 27, in said township, thence:

East along the South line of said Section 22 to its South East corner, thence:

South along the West line of Sections 26, 35, T13N, R24E, Sections 2, 11, 14, 23, 26, 35, T12N, R24E, and Sections 2, 11, 14, T11N, R24E, to the South West Corner of Section 14, last mentioned, thence:

East along the South line of said Section 14 to its South East corner, thence:

South along the West line of Section 24, T11N, R24E, to its South West corner, thence:

East along the South line of Section 24, T11N, R24E, and along the South line of Sections 19, 20, 21, 22, 23, T11N, R25E, to the South East corner of said Section 23, thence:

South along the West line of Section 25, T11N, R25E, to its South West corner, thence:

East along the South line of said Section 25 to its South East corner, thence:

South along the West line of Section 31, T11N, R26E, to its South West corner, thence:

East along the South line of said Section 31 to its South East corner, thence:

South along the West line of Section 5, T10N, R26E, to its South West corner, thence:

East along the South line of Sections 5 and 4, T10N, R26E, to the South East corner of said Section 4, thence:

South along the West line of Section 10, T10N, R26E, to its South West corner, thence:

East along the South line of said Section 10 to its South East corner, thence:

South along the West line of Section 14, in said township to its South West corner, thence:

East along the South line of Section 14, 13, T10N, R26E, to the South East corner of said Section 13, thence:

South along the West line of Section 19 to the South West corner of Section 19, T10N, R27E, thence:

East along the South line of said Section 19 to the North or left bank of the Yakima River, thence:

North Easterly and South Easterly, through Sections 19, 20, 17, 16, 9, 4, 3, T10N, R27E along the North or left bank of the Yakima River to the South line of Section 3 in said township and range, thence:

East to the South East corner of said Section 3, thence:

North along the East line of said Section 3 to the center line of the Richland-White Bluffs Highway, thence:

South Easterly through Sections 11, 12, T10N, R27E, Sections 7, 18, 17, T10N, R28E along the center line of said highway to its intersection with the East line of Section 17, T10N, R28E, thence:

South along the West lines of Sections 16, 21, 28, 33, in said township and range and along the West line of Section 4, T9N, R28E, to the North, or left bank of the Yakima River, thence:

Southerly along the North or left bank of the Yakima River, passing through Sections 4, 5, 9, 16, 15, 22, 23, 24, T9N, R28E, to a point on the North or left bank of the Yakima River on the West line of Section 19, T9N, R29E, thence:

Along the South East end of a peninsula formed by the Yakima and Columbia Rivers in said Section 19 and thence in a general northerly direction along the West or right bank of the Columbia River and passing through Sections 19, 18, T9N, R29E, Sections 13, 14, 11, 2, 1, T9N, R28E, Sections 36, 25, 24, 23, 14, 11, 2, T10N, R28E, Sections 35, 26, 23, 14, 11, 2, T11N, R28E, Sections 35, 26, T12N, R28E, to the North line of said Section 26, thence:

East along the North lines of Sections 26 and 25, T12N, R28E, and along the North line of Section 30, T12N, R29E, to the North West corner of said section, thence:

North along the East line of Section 19, T12N, R29E to the North East corner of said Section 19, thence:

West along the North line of said Section 19 to its North West corner, thence:

North along the East line of Sections 13, 12, 1, T12N, R28E, to the North East corner of said Section 1, thence:

West along the township line common to Townships 12 and 13 North, Range 28 East to the South East corner of Section 36, T13N, R28E, thence:

North along the East line of Sections 36, 25, T13N, R28E, to the North East corner of said Section 25, thence:

West along the North line of said Section 25 to its North West corner, thence:

North along the East line of Section 23, T13N, R28E, to its North East corner, thence:

West along the North line of said Section 23 to its North West corner, thence:

North along the East line of Section 15, T13N, R28E, to its North East corner, thence:

West along the North line of said Section 15 to its North West corner, thence:

North along the East line of Section 9, T13N, R28E, to its North East corner, thence:

West along the North line of said Section 9 to its North West corner, thence:

North along the East line of Section 5, T13N, R28E, to its North East corner, thence:

North along the East line of Section 32, T14N, R28E, to its North East corner, thence:

West along the North line of said Section 32 to its North West corner, thence:

North along the East line of Section 30, 19, T14N, R28E, to the North East corner of said Section 19, thence:

West along the North line of said Section 19 to its North West corner, thence:

North along the East line of Sections 13, 12, T14N, R27E, to the North East corner of said Section 12, thence:

West along the North line of said Section 12 to its North West corner, thence:

North along the East line of Section 2, T14N, R27E, to its North East corner, thence:

West along the North line of said Section 2 to its North West corner, thence:

North along the East line of Section 34, T15N, R27E, to its North East corner, thence:

West along the North line of said Section 34 to its North West corner, thence:

North along the East line of Section 28, T15N, R27E, to its North East corner, thence:

West along the North line of said Section 28 to its North West corner, thence:

North along the East line of Section 20, T15N, R27E, to its North East corner to the "point of beginning".

(b) No person shall have the right or shall be permitted to enter, remain in, or leave the above described "Hanford Military Area".



tary Area" except on permission by and in accordance with terms and conditions prescribed by the District Engineer, Manhattan District, Office of the Chief of Engineers, U. S. Army. All orders and restrictions presently in effect, issued pursuant to Public Proclamation No. 18, Headquarters Western Defense Command, by the said District Engineer shall apply to "Hanford Military Area" as hereby established and shall remain in full force and effect unless and until modified or canceled by the said District Engineer.

(c) Any person violating the provisions of this proclamation, or any of the terms or conditions prescribed in accordance with paragraph (b) of this section for entering, remaining in, or leaving the said "Hanford Military Area" will be subject to the criminal penalties provided in Public Law No. 503, 77th Congress, approved March 21, 1942, entitled, "An Act to Provide a Penalty for the Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones." (56 Stat. 173, 18 U. S. C., sec. 97a), as well as to prosecution under applicable Federal and State laws against loitering or trespassing.

(d) Pursuant to the authority granted by Executive Order No. 9066, the undersigned will enforce compliance with all orders and restrictions now in existence or to be issued pursuant to this proclamation by all lawful military means within his command, including the use of troops.

(e) The following public proclamations issued by the Commanding General, Western Defense Command, are hereby rescinded:

(1) Public Proclamation No. 1, dated March 2, 1942, (7 F. R. 2320) which established Military Areas Nos. 1 and 2, as changed by Public Proclamations No. 9 (7 F. R. 5719), 13 (7 F. R. 8565), 14 (8 F. R. 282), 16 (8 F. R. 3256) and 21 (10 F. R. 53);

(2) Public Proclamation No. 2 dated March 16, 1942, (7 F. R. 2405) which established Military Areas Nos. 3, 4, 5 and 6, as changed by Public Proclamations Nos. 13, 16 and 21;

(3) Public Proclamation No. 18, dated July 14, 1943, (8 F. R. 10289) which established Total Exclusion Area No. 3.

(f) This proclamation shall not affect any offense heretofore committed nor any conviction or penalty incurred because of violations of the provisions of the said Public Proclamations Nos. 1 and 2, as changed, or those of the said Public Proclamation No. 18, nor shall it affect the validity of any orders previously issued under the said proclamations.

(g) The effect of the rescission of Public Proclamations Nos. 1 and 2 by paragraph (e) of this section is to abolish Military Areas Nos. 1, 2, 3, 4, 5, and 6 which were established in the territory embraced by the States of Washington, Oregon, California, Idaho, Montana, Nevada and Utah and to remove all restrictions and controls applicable to those areas as such. The only restrictions and controls now in force and effect are those which are applicable to "Hanford Military Area" as provided herein.

(h) This proclamation shall become effective at midnight December 2, 1946.

[SEAL]

GEORGE P. HAYS,  
Major General, U. S. Army.

Confirmed:

EDWARD F. WITSELL,  
Major General,  
The Adjutant General.

[F. R. Doc. 47-226; Filed, Jan. 9, 1947;  
8:55 a. m.]

## TITLE 19—CUSTOMS DUTIES

### Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 51591]

#### PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

##### BAGGAGE

##### Correction

In Federal Register Document 46-21964, appearing at page 14701 of the issue for Saturday, December 28, 1946, the third line of paragraph (1) of § 10.17 is corrected to read: "returned from or through a contiguous".

## TITLE 24—HOUSING CREDIT

### Chapter VIII—Office of Housing Expediter

[Premium Payments Regs., General  
Interpretation 1]

#### PART 805—PREMIUM PAYMENTS REGULA- TIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

##### INVALIDATION OF CLAIMS FOR VIOLATIONS OF OPA PRICE CEILINGS OCCURRING PRIOR TO NOVEMBER 10, 1946

Upon the removal of OPA ceilings, outstanding premium payment regulations were amended to delete all specific references to OPA, including the power of the Expediter to invalidate claims for payment for price violations. The effect of these amendments is prospective only, as they were merely intended to eliminate provisions which could no longer apply to future operations. Accordingly, the Expediter retains the power to invalidate claims for price violations which occurred prior to the effective date of such amendments.

Issued this 8th day of January 1947.

ADOLPH H. ZWERNER,  
General Counsel.

[F. R. Doc. 47-289; Filed, Jan. 8, 1947;  
4:34 p. m.]

[Premium Payments Reg. 10, as Amended,  
Incl. Int. 1]

#### PART 805—PREMIUM PAYMENTS REGULA- TIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

##### SAND-LIME BRICK

*Purpose and findings.* This general regulation is issued to stimulate additional production of sand-lime brick by

providing for premium payments with respect to units of additional production above established quotas. It describes how quotas are established, and the methods, procedures and conditions under which such payments may be obtained. This regulation is issued pursuant to the authority of the Veterans' Emergency Housing Act of 1946.

All available means of increasing the supply of sand-lime brick for the veterans' emergency housing program and for other construction, maintenance and repair essential to the national well-being have been considered. Based on such consideration the Expediter finds that premium payments are temporarily necessary to increase the supply of such materials and to stimulate additional production with greater rapidity, economy, and certainty than other available methods. The premium payments provided herein are applied at a uniform rate within the industry. In applying premium payments to necessary additional production in this industry, emphasis has been placed upon avoiding either economic dislocations or adverse effects upon established business.

Par.

- (a) Definitions.
- (b) Computation of production for quotas and claims.
- (c) Establishment of quota.
- (d) Application for quota.
- (e) Rate and computation of premium payment.
- (f) Claim for payment.
- (g) Payment.
- (h) Records.
- (i) Reports.
- (j) Official interpretations.
- (k) Termination.
- (l) Effective date.

§ 805.10 Sand-lime brick—(a) Definitions. As used in this section:

(1) "Brick" and "Sand-lime brick" mean brick of the type described in "Federal Specification for Brick; Sand-lime", approved June 28, 1932 and published in section IV, Part 5 of the Federal Standard Stock Catalog and identified as document SS-B-681. No sand-lime product having a gross volume, computed from actual overall dimensions, in excess of 176 cubic inches shall be deemed to be "sand-lime brick" under this section.

(2) "Sand-lime product" means any product manufactured in a plant in which sand-lime brick is produced and for which the manufacturing process and the production facilities are substantially similar to those employed in the manufacture of sand-lime brick.

(3) "Person" means an individual, corporation, partnership, association, or any other organized group of any of the foregoing, or legal successor or representative of any of the foregoing, but does not include the United States, any of its political subdivisions or any agency thereof, any other Government, any of its political subdivisions or any agency thereof.

(4) "Producer" means a person who operates a plant for the production of sand-lime brick.

(5) "Plant" means an integrated manufacturing establishment for the production of sand-lime brick (within the United States, its Territories, possessions or the District of Columbia) occupying



## RULES AND REGULATIONS

a single site and, where consisting of several complete manufacturing units, using common shipping and storing facilities and common operating supervision.

(6) "Standard size brick" means brick having a gross volume, computed from actual overall dimensions, of 75 cubic inches.

(7) "Production" and "Units of Production" mean the number of units of sand-lime brick and other sand-lime products computed pursuant to paragraph (b) of this section and stated in terms of standard size brick equivalents.

(8) "Month" means a calendar month: *Provided, however*, That any producer on whom this provision works a hardship may apply by letter to the Expediter for authorization to submit his application for quota and claims for payments on the basis of a stipulated fiscal month. With respect to a producer who has received such authorization this section shall become effective on the first day of his fiscal month beginning on or after October 1, 1946, and shall terminate on the same date as this section terminates as to other producers.

(9) "Full operating month" means a month during which a plant operated at least twenty working days except for February, during which the plant must have operated at least eighteen working days.

(10) "New producer". A person who did not operate prior to the effective date of this section any plant for the production of sand-lime brick shall be a new producer as to any plant operated by him for the production of sand-lime brick which was not, prior to the effective date of this section, substantially completed as a plant capable of producing sand-lime brick.

(11) "Claim" means a claim for payment filed pursuant to this section.

(12) "Expediter" means the Housing Expediter as defined in the Veterans' Emergency Housing Act of 1946, or his duly authorized representative.

(13) "OHE" means the Office of the Housing Expediter.

(b) *Computation of production for quotas and claims.* For the purpose of determining the quota of a plant and the amount of a claim, production shall be computed by counting the number of units of all sand-lime products completely cured in the month involved stated in terms of standard size brick equivalents. The number of standard size brick equivalents for all sand-lime products shall be computed by using 75 cubic inches as the gross volume equivalent to one standard size brick. For example: A sand-lime brick or other sand-lime product having actual dimensions of  $3\frac{3}{4}'' \times 5'' \times 8''$  and with a gross volume of 150 cubic inches equals 2 brick equivalent. In computing the gross volume of modular size brick for the purpose of converting to standard size brick equivalents, the nominal dimensions of the modular brick should be used rather than its actual dimensions.

(c) *Establishment of quota.* (1) A separate quota shall be established for each and every plant of the producer as follows:

(i) With respect to a plant where sand-lime products were produced for at

least five full operating months during January through September 1946, the quota shall be the lower of the following:

(a) The arithmetical monthly average of the production of all sand-lime products for the three months of highest production during January through September 1946 or (b) 90 percent of the production of all sand-lime products for the month of highest production during January through September 1946.

(ii) With respect to a plant where sand-lime products were produced less than five but at least two full operating months during January through September 1946, the quota shall be 90 percent of the production of all sand-lime products for the month of highest production during January through September 1946.

(iii) With respect to a plant where sand-lime products were produced prior to June 1, 1945, but where no sand-lime products of any kind were produced during the period from June 1, 1945 through September 30, 1946, the quota for each month shall be two-thirds of the production of all sand-lime brick during such month and premium payments will be made on the remaining one-third.

(iv) With respect to all other plants, a special quota shall be established by the Expediter: *Provided, however*, That no such quota shall be established for a new producer which would result in the application of premium payments to more than 50 percent of the value (in terms of the producer's selling price) of the total output of such producer.

(v) Upon application therefor, on form NHA 14-113, a special quota adjusted for any number of consecutive months of the year may be established by the Expediter with respect to a plant where, customarily, because of the effect of weather conditions on plant operations the production of sand-lime brick during said months is substantially less than production in the other months of the year.

(2) In the case of a producer with two or more plants, if the production in any plant falls below the quota for that plant in any month, the Expediter may establish a combined quota for any or all plants of such producer if the Expediter determines that production has been shifted among such plants so as to increase the producer's total claims without a corresponding increase in total output.

(3) If the production of sand-lime brick in a plant in any claim period is below the sand-lime brick component of such plant's quota, then the plant's quota for the next succeeding claim period shall consist of its established quota plus the amount of the deficit in the production of sand-lime brick in the preceding claim period: *Provided, however*, That if on the producer's application the Expediter determines that the deficit was due to unusual circumstances beyond the control of the producer, such deficit shall not be added to the established quota. Such application for waiver of the deficit carry-over shall consist of form NHA 14-112 filled out as an information return and filed with the Reconstruction Finance Corporation

Loan Agency with which the claims for that plant are filed within 15 days after the end of the month in which the deficit occurred, except that applications with respect to deficits incurred during the months of October, November and December, 1946, may be filed up to and including January 31, 1947.

[Above subparagraph (3) as amended shall become effective as of October 1, 1946]

(d) *Application for quota.* (1) Every producer who wishes to receive premium payments under this section shall file promptly with the Expediter an application for the establishment of quotas for each of his plants on form NHA 14-111 which may be obtained from any Reconstruction Finance Corporation Loan Agency. A producer may find out in which RFC Loan Agency district he is located by consulting his bank.

(2) Each application for an adjustment of quota pursuant to subdivision (c) (1) (v) of this section must be filed not later than January 31, 1947: *Provided, however*, that with respect to any plant which has not operated for the production of sand-lime brick between October 1, 1946, and December 31, 1946, such application may be filed not later than 30 days following the end of the month in which production first occurs subsequent to December 31, 1946.

[Above subparagraph (2) as amended shall become effective as of October 1, 1946]

(e) *Rate and computation of premium payment.* (1) A premium payment of \$5.00 for each thousand units of production in excess of established quotas will be made. The amount payable for each month will be computed by subtracting from the total number of units of production of all sand-lime products during the month the amount of the established quota (including any deficit carried over from the previous month as set forth in subparagraph (c) (3) of this section) and multiplying the remainder by \$5.00 per thousand units.

(2) In the case of a plant whose quota includes sand-lime products other than sand-lime brick, the production for the month covered by the claim may include such other sand-lime products up to but not exceeding the amount of other sand-lime products in its quota. The other sand-lime products in the quota shall be determined as follows:

(i) With respect to a plant whose quota is the arithmetic average of production in the three months of highest production, take the arithmetic average of the production of other sand-lime products in these three months.

(ii) With respect to a plant whose quota is 90% of production in the month of highest production, take 90% of production of other sand-lime products in that month.

*Example:* A plant has a quota of 1,000 standard size brick equivalent, made up of 800 in sand-lime brick and 200 in other sand-lime products. In October it produces 1,500 standard size brick equivalent of all sand-lime products made up of 1,200 sand-lime brick and 300 other sand-lime products. The claim for October should be for 400



standard size brick equivalents of production in excess of quota, computed as follows:

Sand-lime brick produced.....	1,200
Other sand-lime products produced (but not in excess of amount in quota) .....	200
Total production in claim.....	1,400
Quota .....	1,000
Production in excess of quota....	400

(f) *Claim for payment.* (1) Each claim shall be filed on form NHA 14-112. These forms may be obtained from any RFC Loan Agency.

(2) Each claim shall be filed on or before the last day of the month following the end of the month in which the production occurred: *Provided, however,* That a producer obtaining a special quota for any plant shall file all previously accrued claims on account of production in that plant not later than the last day of the month following the end of the month in which the special quota was established by the Expediter. Notwithstanding any provision contained in this subparagraph (f) (2), claims based upon production occurring during the months of October, November and December, 1946, may be filed not later than January 31, 1947.

[Above subparagraph (2) as amended shall become effective as of October 1, 1946]

(3) With respect to any plant, no claim shall accrue on account of production occurring prior to the first day of the month in which the application for quota for such plant is filed with the Expediter: *Provided, however,* That this provision shall not become effective until February 1, 1947.

[Above subparagraph (3) as amended shall become effective as of October 1, 1946]

(4) Each claim for payment shall include all of the production of the month for which claim is made and no other. Any producer whose production in any month is insufficient to permit the payment of a premium shall nevertheless file form NHA 14-112 on or before the end of the month following the month in which the deficit occurred as an information return to indicate the amount of the deficit.

(5) Each claim or information return on form NHA 14-112 shall be filed with RFC at the Loan Agency for the District in which the main office of the plant is located, except that a producer operating more than one plant shall simultaneously file the claims or information returns for all of his plants at the Loan Agency for the District in which his main office is located.

(6) No claim under this section shall be assignable except as a part of the bona fide transfer of the plant to a legal successor.

(g) *Payment—(1) Review by RFC.* In reviewing claims, the RFC will determine whether such claims appear to have been correctly and properly prepared.

(2) *Terms of payment.* If the claim or any part thereof is accepted by RFC subject to final verification, RFC will then pay the claimant that part of the

claim so accepted: *Provided, however,* That with respect to claims for the last two months during which this section is in effect RFC may require that bond be furnished in form and amount satisfactory to it before making payment.

Preliminary acceptance and payment of a claim shall not constitute final acceptance of the validity or amount of the claim. If, after review or audit, there is cause to question the validity of any claim, RFC may:

(i) Require that bond be furnished in form and amount satisfactory to it before making further payments, or,

(ii) Suspend further payments.

(3) *Verification of claims.* (i) Upon receipt of claims, RFC will forward copies to the Expediter for verification and such investigation or audit as may be deemed appropriate.

(ii) If the amount verified and approved by the Expediter is less than the amount previously paid, the claimant shall upon demand by RFC refund the overage to RFC together with interest thereon at the rate of 4% per annum calculated from the date of such overpayment to the date repayment is made to the RFC or such overage plus interest may be deducted from any accrued or subsequent claim for any payment by RFC to the claimant.

(iii) In the event that the Expediter establishes a combined quota under paragraph (c) (2) of this section, payment shall be made on the basis of the amount by which total production of those plants whose quotas have been combined exceeds the total quotas of those plants.

(4) *Invalidation of claims.* The Expediter shall have the right at any time to declare invalid any claim of a producer, and such producer shall upon demand refund to RFC any payment on such claim, if the Expediter finds that the producer has failed:

(i) To comply with any of the requirements of this section, or,

(ii) To comply with directives, certifications, allocations, orders or regulations of the Civilian Production Administration or OHE on sand-lime brick.

[Subdivision (ii) as amended shall become effective as of November 10, 1946]

(h) *Records.* Every producer shall prepare and preserve for inspection for a period of not less than two years after the date of termination of this section, all books, records and other documents which furnish information in support of its applications for quota and claims for payment. The Expediter or his designated agents shall have the right at any time to make such examinations and audits of these books, records and other documents as may be necessary to verify the representations in the producer's applications for quota and claims for payment or as may be required by the Expediter.

(i) *Reports.* Producers must furnish such reports as may be required by the Expediter from time to time, subject to approval by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(j) *Official interpretations.* Official interpretations of this section may be

given only in writing by the General Counsel of the Office of the Expediter, or his duly authorized representative. A request for an official interpretation must be filed in writing directly with the Expediter or the General Counsel.

(k) *Termination.* This section shall terminate on May 31, 1947. In the event that the Expediter finds that any substantive amendments become necessary, including but not limited to an amendment of the termination date, no such amendments will be issued until after adequate notice to and discussion with representatives of the producers covered by this section.

Termination shall not preclude the filing of claims for payment during the month following such termination on account of production during the immediately preceding month. Such claims shall be dealt with in accordance with the provisions of this section in the same manner as if it had not been terminated.

[Above paragraph as amended shall become effective as of November 10, 1946]

(l) *Effective date.* This section shall become effective as of October 1, 1946.

**NOTE:** The reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(60 Stat. 207)

Issued this 8th day of January 1947.

FRANK R. CREEDON,  
Housing Expediter.

#### INTERPRETATION 1

##### MEANING OF "SAND-LIME BRICK"

In order to meet the requirements for sand-lime brick set forth in paragraph (a) (1) of EPRR 10, a sand-lime brick must include the ingredients set forth in the Federal Specification for sand-lime brick and may also include cement but only when, and to the extent that, this is necessary to overcome strength deficiencies. In all cases, sand-lime brick must be cured under high steam pressure to develop the chemical reaction characteristic of sand-lime brick (industry practice requires the use of a chamber or auto-clave within which an average of not less than 110 pounds per sq. in. steam pressure is developed and maintained for at least eight hours). (Issued December 11, 1946.)

[F. R. Doc. 47-290; Filed, Jan. 8, 1947; 4:34 p. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter IX—Office of Temporary Controls, Civilian Production Administration

**AUTHORITY:** Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, and Public Laws 270 and 475, 79th Congress; Public Law 388, 79th Congress; E. O. 9024, 7 F. R. 329; E. O. 9040, 7 F. R. 527; E. O. 9125, 7 F. R. 2719; E. O. 9599, 10 F. R. 10155; E. O. 9638, 10 F. R. 12591; C. P. A. Reg. 1, Nov. 5, 1945, 10 F. R. 13714; Housing Expediter's Priorities Order 1, Aug. 27, 1946, 11 F. R. 9507; E. O. 9809, Dec. 12, 1946, 11 F. R. 14281; OTC Reg. 1, 11 F. R. 14311.



## PART 1010—SUSPENSION ORDERS

[Suspension Order S-1020]

JOSEPH W. LUEPNITZ

Joseph W. Luepnitz, St. Ignace, Michigan, in June, 1946, without authorization from the Civilian Production Administration began the construction in St. Ignace, Michigan, of a combination business building and apartment estimated to cost not less than \$3,000. He filed an application with the Civilian Production Administration on September 26, 1946, for authorization to construct the building which was denied on October 17, 1946, but continued construction thereafter. This was in violation of Veterans' Housing Program Order No. 1, and has diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1020 *Suspension Order No. S-1020.* (a) Neither Joseph W. Luepnitz, his successors or assigns, nor any other person shall do any further construction on the building in St. Ignace, Michigan, including putting up, completing or altering the structure, unless hereafter specifically authorized in writing by the Civilian Production Administration.

(b) Joseph W. Luepnitz shall refer to this order in any application or appeal which he may file with the Civilian Production Administration or the Federal Housing Administration for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve Joseph W. Luepnitz, his successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 8th day of January 1947.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 47-288; Filed, Jan. 8, 1947;  
4:31 p. m.]

## PART 1010—SUSPENSION ORDERS

[Suspension Order No. S-1062]

BEN C. RICHARDS

Ben C. Richards, the owner of about 10 acres of land on Hillsborough Avenue at Dale Mabry Highway, Tampa, Florida, about July 15, 1946 commenced construction of a project known as a trailer park, consisting of nine separate buildings; namely, a combination residence and office, a grocery store, six utility buildings containing toilets and shower baths, and a laundry, at an estimated cost in excess of \$10,000. An application for authority from the Civilian Production Administration to do this construction was denied on September 12, 1946, nevertheless, he continued construction thereafter of the combination residence and office at an estimated cost of between \$8,000 and \$10,000 without authoriza-

tion and in wilful violation of Veterans' Housing Program Order No. 1. This violation has diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1062 *Suspension Order No. S-1062.* (a) Neither Ben C. Richards, nor any other person shall do any construction on the said trailer park property or any part thereof located at Hillsborough Avenue at Dale Mabry Highway, Tampa, Florida, including completing, putting up, or the altering of said proposed structures on said premises, and including the combination office-residence now under construction, unless hereafter specifically authorized in writing by the Civilian Production Administration or the Federal Housing Administration.

(b) Ben C. Richards shall refer to this order in any application or appeal which he may file with the Civilian Production Administration for priorities assistance or for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve Ben C. Richards, from any restriction, prohibition, or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

(d) The restrictions and prohibitions contained herein shall apply to Ben C. Richards, doing business as Vic's Trailer Park or under any other name, his successors and assigns, or persons acting in his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 8th day of January 1947.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 47-288; Filed, Jan. 8, 1947;  
4:31 p. m.]

## PART 1010—SUSPENSION ORDERS

[Suspension Order S-1069]

THOMPSON AND SMITH, AND JOHN S. COOK

Emory J. Thompson and E. Brook Smith, d/b/a Thompson and Smith, reside in Cumberland, Maryland, and own the premises on the south side of U. S. Highway Route No. 40, approximately 1 mile west of Cumberland, Maryland. John S. Cook, 1 North Liberty Street, Cumberland, Maryland, is a Builder and Contractor. Subsequent to March 26, 1946, Emory J. Thompson and E. Brook Smith, owners, and John S. Cook, builder, began the construction of a commercial building on this property at an estimated cost of \$12,000, without authorization from the Civilian Production Administration. The beginning and carrying on of this construction, subsequent to March 26, 1946, without authorization of the Civilian Production Administration constituted a wilful violation on the part of Emory J. Thompson and John S. Cook, and, at least, a grossly

negligent violation on the part of E. Brook Smith, of Veterans' Housing Program Order No. 1. This violation has diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1069 *Suspension Order No. S-1069.* (a) Neither Emory J. Thompson, E. Brook Smith, or John S. Cook, their successors or assigns, nor any other person shall do any further construction on the premises of Thompson & Smith, located on the south side of U. S. Highway Route No. 40, approximately 1 mile west of Cumberland, Maryland, including completing, putting up or altering of any structure located thereon, unless hereafter specifically authorized in writing by the Civilian Production Administration.

(b) Emory J. Thompson, E. Brook Smith, and John S. Cook shall refer to this order in any application or appeal which they may file with Civilian Production Administration for priorities assistance, or for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve Emory J. Thompson, E. Brook Smith, or John S. Cook, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 8th day of January 1947.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 47-285; Filed, Jan. 8, 1947;  
4:31 p. m.]

## Chapter XI—Office of Temporary Controls, Office of Price Administration

## PART 1499—COMMODITIES AND SERVICES

[SR 14F, Amdt. 27]

MODIFICATION OF MAXIMUM PRICES ESTABLISHED BY GENERAL MAXIMUM PRICE REGULATION FOR CERTAIN CHEMICALS, DRUGS, AND PAINTS

A statement of the considerations accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 10 (f) (1) is amended to read as follows:

(1) *Manufacturers:* \$0.247 per gallon.

This amendment shall become effective as of October 29, 1946.

Issued this 9th day of January 1947.

PHILIP B. FLEMING,  
Temporary Controls Administrator.

*Statement of the Considerations Involved in the Issuance of Amendment No. 27 to SR 14F*

Order 55 under section 19a of the General Maximum Price Regulation, effective October 10, 1946, permitted manu-



facturers of linseed replacement oil to sell this commodity under adjustable pricing until such time as the Office of Price Administration took final action with respect to applications filed by them for an increase in the maximum prices for this commodity.

On the basis of the data before this Office, it appears that an adjustment of \$0.084 per gallon in the manufacturers' maximum prices for linseed replacement oil would have been appropriate under the Price Administrator's standards prior to October 29, 1946, the date when maximum prices for this commodity were decontrolled.

Accordingly, this amendment effectuates the increase indicated above which applies to all sales by manufacturers of this commodity prior to October 29, 1946, in accordance with Adjustable Pricing Order 55 under section 19a of the General Maximum Price Regulation. The increase permitted by this amendment results in a total increase of \$0.247 per gallon over the maximum prices for this commodity originally established under SR 14F.

[F. R. Doc. 47-304; Filed, Jan. 9, 1947; 11:18 a. m.]

### TITLE 43—PUBLIC LANDS: INTERIOR

#### Chapter I—Bureau of Land Management, Department of the Interior

##### Appendix—Public Land Orders

[Public Land Order 336]

##### MONTANA

#### EXCLUSION OF CERTAIN LANDS FROM THE BOWDOIN NATIONAL WILDLIFE REFUGE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 7295 of February 14, 1936, establishing the Lake Bowdoin Migratory Waterfowl Refuge, in Montana, the designation of which was changed to the Bowdoin National Wildlife Refuge by Executive Order No. 8592, of November 12, 1940, is hereby revoked so far as it affects the following described lands:

##### PRINCIPAL MERIDIAN

T. 30 N., R. 31 E.,  
sec. 10, NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
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The area described contains 110 acres.

(36 Stat. 847; 43 U. S. C. 141; E. O. 9377, Apr. 24, 1943, 3 CFR Cum. Supp.)

WARNER W. GARDNER,  
Assistant Secretary of the Interior.

DECEMBER 30, 1946.

[F. R. Doc. 47-206; Filed, Jan. 9, 1947; 8:50 a. m.]

[Public Land Order 337]

##### ALASKA

REVOKING EXECUTIVE ORDER NO. 4625 OF APRIL 1, 1927, RESERVING CERTAIN LOTS IN FEDERAL ADDITION TO THE TOWN SITE OF SEWARD

By virtue of the authority vested in the President by the act of March 12, 1914, 38 Stat. 305, and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 4625 of April 1, 1927, reserving lots 11 and 12, block 8, in the Federal Addition to the town site of Seward, Alaska, for the use of the Forest Service of the United States Department of Agriculture, is hereby revoked.

(Sec. 1, 38 Stat. 305; 43 U. S. C. 303; E. O. 9337, Apr. 24, 1943, 3 CFR Cum. Supp.)

WARNER W. GARDNER,  
Assistant Secretary of the Interior.

DECEMBER 31, 1946.

[F. R. Doc. 47-207; Filed, Jan. 9, 1947; 8:50 a. m.]

### TITLE 47—TELECOMMUNICATION

#### Chapter I—Federal Communications Commission

##### PART 1—RULES RELATING TO ORGANIZATION AND PRACTICE AND PROCEDURE

##### SAFETY AND SPECIAL SERVICES DIVISION

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 24th day of December 1946;

It appearing, that it is necessary and desirable to amend section 1.76 of the Commission's rules and regulations so as to reflect the present assignment of duties in the Safety and Special Services Division; and

It further appearing, that general notice of proposed rules making is not required with respect hereto pursuant to the provisions of section 4 (a) of the Administrative Procedure Act;

It is ordered, That § 1.76 (11 F. R. 177A-404) of the Commission's rules and regulations be, and it is hereby, amended to read as follows:

§ 1.76 *Safety and Special Services Division.* The Safety and Special Services Division is divided into the following sections:

(a) Aviation and General Mobile section, which reviews and prepares legal opinions, reports and recommendations (other than those involving common carrier operations) with respect to applications for radio station authorizations in the aviation service, both in the established and experimental stages and in the experimental general mobile service; reviews and makes recommendations with respect to formal and informal petitions and complaints; conducts investigations and hearings with respect to these services; drafts proposed legislative amendments and prepares Commission reports, orders, rules and regulations affecting these services.

(b) Marine, Operator and Amateur Section, which is responsible for all legal

matters (other than those involving common carrier operations) relating to radio installations and operations aboard ships, whether voluntary or required by Title III, Part II, of the Communications Act of 1934, as amended, and the International Convention for the Safety of Life at Sea, and to land radio installations communicating with or sending signals to radio stations aboard ship, both in the experimental and established stages; to radio installations and operations in the Amateur Radio Service; and to all licensed radio operators, both amateur and non-amateur, whether performing service aboard ships, aircraft, or on land; participates in the enforcement of the requirements of the International Convention for the Safety of Life at Sea; reviews and makes recommendations to the Commission with respect to formal and informal petitions and complaints in marine, amateur, and operator matters; conducts investigations and hearings relating to marine, amateur, and operator matters; and as affecting such matters prepares Commission reports, orders, rules and regulations.

(c) Emergency, Experimental and Miscellaneous Section, which reviews and prepares legal opinions, reports and recommendations with respect to applications for radio station authorizations (other than those involving or looking toward common carrier operations) in the Emergency Services (police, fire, forestry and special emergency stations), the Miscellaneous Services (geological, mobile press, relay press, motion picture and provisional radio stations), the Utilities Radio Service, the Railroad Service, the Experimental Service; conducts investigations and hearings affecting these services; reviews and makes recommendations with respect to formal and informal complaints; and prepares Commission reports, orders, rules and regulations affecting these services. (Sec. 4 (i), 48 Stat. 1068, sec. 5 (e), 48 Stat. 1068; 47 U. S. C. 154 (i), 155 (e))

It is further ordered, That the foregoing amendment to § 1.76 of the Commission's rules and regulations be, and it is hereby effective immediately.

[SEAL] FEDERAL COMMUNICATIONS  
COMMISSION,  
T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-219; Filed, Jan. 9, 1946; 8:49 a. m.]

##### PART 3—RULES GOVERNING RADIO BROADCAST SERVICES

##### ORDER EXTENDING EXEMPTION FROM EXISTING RULES

At a meeting of the Federal Communications Commission at its offices in Washington, D. C., on December 26, 1946,

The Commission having before it the request of the Television Broadcasters Association, Inc. for an extension to June 30, 1947 of the action of the Commission of October 17, 1946 waiving the requirements of § 3.661 (a) of the rules and regulations of the Federal Com-



munications Commission until December 31, 1946; and

Whereas, it appears that because of construction and operating difficulties the deferment of the effect of § 3.661 (a), which requires television licenses to broadcast a minimum of 2 hours of broadcast service in any given broadcast day and not less than 28 hours broadcast service per week, should be continued until March 31, 1947.

*It is hereby ordered*, That § 3.661 (a) be amended so that the footnote at the end of § 3.661 (a) will read as follows:

<sup>1</sup>The requirements of § 3.661 (a) are waived until March 31, 1947.

This order is an exemption from existing Commission rules and it is necessary that it become effective immediately upon the expiration on December 31, 1946, of a similar exemption. Hence the public notice and procedure required by section 4 of the Administrative Procedure Act are hereby found to be unnecessary and this order is hereby made effective December 31, 1946.

[SEAL] FEDERAL COMMUNICATIONS  
COMMISSION,  
T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-210; Filed, Jan. 9, 1947;  
8:50 a. m.]

[Order 110-E]

#### PART 3—RULES GOVERNING RADIO BROADCAST SERVICES

##### TERMINATION OF LICENSES FOR INTERNATIONAL BROADCAST STATIONS

DECEMBER 26, 1946.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 26th day of December 1946.

The Commission having under consideration Order No. 110-D (11 F. R. 12573) adopted September 30, 1946, providing for the extension of the licenses of international broadcast stations:

*It is hereby ordered*, That the license term for every international broadcast station presently licensed shall end at the earlier of the following dates: (a) April 1, 1947, or (b) the first day on which its operations are not controlled, by agreement or otherwise, by the State Department, Office of International Information and Cultural Affairs, or other governmental agency supervising the operation of international broadcasting; *Provided*, That this shall be without prejudice to the consideration of any application filed for operation otherwise, in the light of provisions of the "Departments of State, Justice, Commerce and the Judiciary Appropriation Act, 1947" (Pub. L. 490, 79th Cong.) appropriating funds for use by the Department of State in connection with the operation of an information program outside the continental United States.<sup>2</sup>

<sup>1</sup>The provisions referred to provide in part that "funds herein appropriated shall not

*It is further ordered*, That the portion of § 3.718 (11 F. R. 10300, 12573) of the Commission's rules and regulations which establishes for international broadcast stations a normal license term of one year is hereby suspended until further order of the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-211; Filed, Jan. 9, 1947;  
8:50 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

#### Subchapter B—Carriers by Motor Vehicle

##### PART 205—REPORTS OF MOTOR CARRIERS

###### MOTOR CARRIER ANNUAL REPORT FORM A<sup>2</sup>

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 2d day of January A. D. 1947.

The matter of Annual Reports from Class I Motor Carriers of Property and Class I Motor Carriers of Passengers being under consideration:

*It is ordered*, That the order of October 11, 1945, in the matter of Annual Reports from Class I Motor Carriers of Property and Class I Motor Carriers of Passengers be, and it is hereby modified with respect to annual reports for the year ended December 31, 1946, and subsequent years, as follows:

§ 205.1 *Form prescribed for annual reports.* Each Class I Common and Contract Motor Carrier of Property and each Class I Common and Contract Motor Carrier of Passengers shall file under oath an annual report for the year ended December 31, 1946, and for each succeeding year until further order, in accordance with Motor Carrier Annual Report Form A (Class I Motor Carriers of Property and Passengers) which is hereby approved and made a part of this section. The annual report shall be filed, in duplicate, in the Bureau of Motor Carriers, Interstate Commerce Commission, Washington, D. C., on or before March 31 of the year following the one to which it relates. (49 Stat. 563, sec. 24, 54 Stat. 926; 49 U. S. C. 320.)

NOTE: The reporting requirement of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

By the Commission, Division 1.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 47-217; Filed, Jan. 9, 1947;  
8:49 a. m.]

be used to purchase more than 75 per centum of the effective daily broadcasting time from any person or corporation holding an international shortwave broadcasting license from the Federal Communications Commission without the consent of such licensee. . . ."

<sup>2</sup>Filed as part of the original document.

### Chapter II—Office of Defense Transportation

#### PART 500—CONSERVATION OF RAIL EQUIPMENT

##### REFRIGERATOR CARS CONTAINING PORTABLE HEATERS

CROSS REFERENCE: For an exception to the provisions of § 500.3, see Part 520 of this chapter, *infra*.

[Gen. Permit ODT 1, Rev. 9, Amdt. 1]

#### PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS AND PERMITS

##### REFRIGERATOR CARS CONTAINING PORTABLE HEATERS

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Order 8989, as amended, and Executive Order 9729, General Permit ODT 1, Revised-9 (11 F. R. 12364), is hereby amended to read as follows:

§ 520.11 *Refrigerator cars containing portable heaters.* Notwithstanding the restrictions contained in § 500.3 of General Order ODT 1, Revised, as amended (11 F. R. 8228, 8740, 9040, 10616), any common carrier by railroad may accept from a shipper, or load and forward from or within any city or town to any point within the United States any refrigerator car containing merchandise consisting exclusively of portable heaters used or to be used in the protection of shipments by rail if such car would otherwise move empty to such point.

This Amendment 1 to General Permit ODT 1, Revised-9, shall become effective January 10, 1947, and shall expire at 11:59 p. m., March 31, 1947.

(54 Stat. 676, 56 Stat. 177; 58 Stat. 827; 59 Stat. 658; 60 Stat. 345; Pub. Law 475, 79th Cong.; 50 U. S. C. App. Sup. 633, 645, 1152; E. O. 8989, Dec. 18, 1941, 6 F. R. 6725; E. O. 9389, Oct. 18, 1943, 8 F. R. 14183; E. O. 9729, May 23, 1946, 11 F. R. 5641)

Issued at Washington, D. C., this 7th day of January 1947.

J. M. JOHNSON,  
Director,

Office of Defense Transportation.

[F. R. Doc. 47-236; Filed, Jan. 9, 1947;  
8:48 a. m.]

## TITLE 50—WILDLIFE

### Chapter I—Fish and Wildlife Service, Department of the Interior

#### PART 11—ESTABLISHMENT, ETC., OF NATIONAL WILDLIFE REFUGES

##### BOWDOIN NATIONAL WILDLIFE REFUGE

CROSS REFERENCE: For order affecting the tabulation contained in § 11.1, see Public Land Order 336 under Title 43, *supra*, relating to the exclusion of certain lands from the Bowdoin National Wildlife Refuge, Montana.



## PROPOSED RULE MAKING

FEDERAL COMMUNICATIONS  
COMMISSION

## [47 CFR, Part 31]

STANDARDS OF GOOD ENGINEERING PRACTICE  
CONCERNING STANDARD BROADCAST  
STATIONS

## NOTICE OF PROPOSED RULE MAKING

DECEMBER 27, 1946.

At a meeting of the Federal Communications Commission at its offices in Washington, D. C., on December 20, 1946:

1. Notice is hereby given of proposed rule making in the above entitled matter.  
2. The Standards of Good Engineering Practice Concerning Standard Broadcast Stations is proposed to be revised to the following extent:

a. The method for computing RSS interference appearing in paragraph 2 on page 7 of the Standards of Good Engineering Practice Concerning Standard Broadcast Stations is to be amended to read as follows:

With respect to the root-sum-square values of interfering field intensities referred to herein, calculation is accomplished by considering the signals in order of decreasing magnitude, adding the squares of the values and extracting the square root of the sum, excluding those signals which are less than 50% of the RSS value of the higher signals already included.

The RSS value will not be considered to be increased when a new interfering signal is added which is less than 50% of the RSS value of interference from existing stations, and which at the same time is not greater than the smallest signal included in the RSS value of interference from existing stations. However, for the purpose of studying the gains and losses in service in cases where it is proposed to add a new interfering signal in excess of the value permitted above, the RSS limitation after the addition of the new signal shall be calculated without excluding any signal previously included. Similarly, for the purpose of studying the gains or losses where it is proposed to increase the value of one of the existing interfering signals in the RSS value the RSS limitation after the increase shall be calculated without excluding the interference from any source previously included.

## Examples

## 1. Existing interferences:

Station No. 1—1.0 mv/m.  
Station No. 2—0.59 mv/m.  
Station No. 3—0.58 mv/m.  
Station No. 4—0.57 mv/m.

The RSS value from Nos. 1, 2 & 3 is 1.29 mv/m; therefore interference from No. 4 is excluded for it is less than 50% of 1.29 mv/m.

## 2. Station A receives interference from:

Station No. 1—1.0 mv/m.  
Station No. 2—0.59 mv/m.  
Station No. 3—0.58 mv/m.

It is proposed to add a new limitation—0.67 mv/m. This is more than 50% of 1.29 mv/m, the RSS value of Nos. 1, 2 & 3. The RSS of Station No. 1 and of the pro-

posed station would be 1.20 mv/m which is more than twice as large as the limitation from Station No. 2 or No. 3. However, under the above provision the new signal and the three existing interferences are nevertheless calculated for purposes of comparative studies, resulting in an RSS value of 1.46 mv/m. However, if the proposed station is ultimately authorized, only No. 1 and the new signal are included in all subsequent calculations for the reason that Nos. 2 and 3 are less than 50% of 1.20 mv/m, the RSS value of the new signal and No. 1.

## 3. Station A receives interference from:

Station No. 1—1.0 mv/m.  
Station No. 2—0.59 mv/m.  
Station No. 3—0.58 mv/m.

No. 1 proposes to increase the limitation it imposes on Station A to 1.20 mv/m. Although Stations Nos. 2 and 3 are less than 50% of the 1.20 limitation, under the above provision they are nevertheless included for comparative studies. However, if the increase proposed by Station No. 1 is authorized, the RSS value then calculated is 1.20 mv/m because Stations Nos. 2 and 3 are excluded in view of the fact that the limitations they impose are less than 50% of 1.20 mv/m.

b. That portion set forth in lines 7 to 13 inclusive on page 3 of Standards of Good Engineering Practice Concerning Standard Broadcast Stations covering the method for computing the nighttime limitation on local channels is amended to read as follows:

Class IV stations operate on local channels normally rendering primary service only to a city or town and the suburban and rural areas contiguous thereto with powers not less than 0.1 kw or more than 0.25 kw. These stations are normally protected to 500 uv/m groundwave contour daytime. On local channels the separation required for the daytime protection shall also determine the nighttime separation. The actual nighttime limitation will be calculated.<sup>3a</sup>

<sup>3a</sup> The following approximate method may be used. It is based on the assumption of constant skywave reflection coefficient with distance less than 250 miles, of 0.25, antenna height, and 88 mv/m at one mile effective field for 250 watts power. Zones defined by circles of various radii specified below are drawn about the desired station and the interfering 10% skywave signal from each station in a given zone is considered to be the value tabulated below. The effective interfering 10% skywave signal is taken to be the RSS of all signals originating within these zones. (Stations beyond 500 miles are neglected.)

Zone	Inner radius	Outer radius miles	10 percent skywave signal
A		50	Mv/m 0.13
B	50	60	.15
C	60	70	.17
D	70	90	.19
E	90	250	.21
F	250	300	.19
G	300	350	.17
H	350	400	.15
I	400	450	.13
J	450	500	.12

Where the power of the interfering station is not 250 watts the 10% skywave signal should be adjusted by the square root of the ratio of the power to 250 watts.

c. Page 1, footnote 3 of present standards (to be substituted for present footnote 3):

\*The secondary service area of a Class I station is not protected from adjacent channel interference. However, if it is desired to make a determination of the area in which adjacent channel groundwave interference (10 kc removed) to skywave service exists, it may be considered as the area where the ratio of the desired 50% skywave of the Class I station to the undesired groundwave of a station 10 kc removed is 1 to 4.

d. Page 11, of present standards (to be substituted for page 10, beginning "The night separation tables," through Table VIII-H on page 16).

The following table is to be used for determining the minimum ratio of field intensity of a desired to an undesired signal for interference-free service. In the case of a desired groundwave signal interfered with by two or more skywave signals on the same frequency, the RSS value of the latter is used.

TABLE V—INTERFERENCE RATIOS

Frequency separation of desired to undesired signals	Desired groundwave to		Desired 50 percent skywave to undesired 10 percent skywave
	Undesired ground wave	Undesired 10 percent skywave	
0 kc.....	20:1	20:1	20:1
10 kc.....	1:1	1:5	(1)
20 kc.....	1:30	-----	-----

<sup>1</sup> See footnote 3, p. 1.

Stations with the same general groundwave service area may be licensed for operation on channels as close as 40 kc separation. Although no interference ratio is specified in Table V for 30 kc separation since most receivers are sufficiently selective to tolerate a high level of interfering signal at this separation, other effects, such as cross-modulation of signals may result depending upon the relative location of two stations with such frequency separation. Accordingly, no station will be licensed for operation with a 30 kc separation from another station, if the area enclosed by the 25 mv/m groundwave contours of the two stations overlap. Moreover, at 20 kc and 10 kc separation the minimum ratio for interference free service permits the interfering signal to be stronger than the desired signal which results in a decrease in the area of interference for closer spacing of the transmitters. This frequency separation is nevertheless considered inappropriate for stations with the same general urban coverage and therefore no station will be licensed for operation with less than 30 kc frequency separation if the area enclosed by the 25 mv/m groundwave contour of either one overlaps the area enclosed by the 2 mv/m groundwave contour of the other.

Two stations, one with a frequency twice that of the other, should not be assigned in the same groundwave service area unless special precautions are taken to avoid interference from the second harmonic of the lower frequency. In selecting a frequency, consideration should be given to the fact that occasionally the



## PROPOSED RULE MAKING

## [47 CFR, Parts 16 and 17]

FREQUENCY TOLERANCE FOR CERTAIN LOW  
POWER RADIO TRANSMITTERS

## NOTICE OF PROPOSED RULE MAKING

DECEMBER 20, 1946.

frequency assignment of two stations in the same area may bear such a relation to the intermediate frequency of some broadcast receivers as to cause so-called "image" interference. However, since this can usually be rectified by readjustment of the intermediate frequency of such receivers, the Commission in general will not take this kind of interference into consideration in allocation problems.

Two stations operating with synchronized carriers<sup>2</sup> and carrying the identical program will have their groundwave service subject to some distortion in areas where the signals from the two stations are of comparable intensity. For the purpose of estimating coverage of such stations areas in which the signal ratio is between 1 to 2 and 2 to 1 will not be considered as having satisfactory service.

3. The proposed amendments had been widely discussed with interested persons, specifically with Engineering Committees appointed to advise the Commission in the matter of Clear Channel Broadcasting in the Standard Broadcast Band (Docket No. 6741), with Industry Committees meeting to advise the Commission concerning proposals to be made to the North American Regional Radio-Engineering Meeting concerning the extension of the North American Regional Broadcasting Agreement and testimony concerning those amendments was taken in the hearing being held in Docket No. 6741.

4. The proposed amendments are issued under the authority of sections 303 (b), 303 (f) and 303 (r) of the Communications Act of 1934, as amended.

5. Any interested person who is of the opinion that the proposed amendments should not be adopted in the form set forth may file with the Commission by January 23, 1947, a written statement or brief setting forth his comments. The Commission will consider these written statements before adopting the proposed amendments and if comments are submitted which appear to warrant the Commission to hold an oral argument notice of time and place of such oral argument will be given.

[SEAL] FEDERAL COMMUNICATIONS  
COMMISSION,  
T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-218; Filed, Jan. 9, 1947;  
8:49 a. m.]

<sup>2</sup> Two stations are considered to be operated synchronously when the carriers are maintained within one-fifth of a cycle per second of each other and they transmit identical programs.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The rules and regulations as proposed for revision are set forth in an appendix attached to this notice.

3. The proposed rules are issued under the authority of sections 303 (e) and 303 (f) of the Communications Act of 1934, as amended.

4. Any interested person who is of the opinion that these proposed revisions of the rules should not be adopted, or should not be adopted in the form set forth, may file with the Commission, on or before Jan. 13, 1947 a written statement or brief setting forth his comments. The Commission will consider these written comments before adopting the proposed rules, and, if comments are submitted which request or appear to warrant the Commission holding an oral argument, notice of the time and place of such oral argument will be given.

§ 16.63 *Channel width and modulation.* (a) In the frequency band 30-100 Mc, the width of each channel assigned is 40 kc; in the 100-216 Mc band, the channel width is 60 kc. Each frequency which appears on a station license or other instrument of station authorization is the center or mid-point of a frequency channel. All emissions outside of an assigned channel shall be attenuated at least sixty (60) decibels below the maximum level of emissions within the assigned frequency channel.

(b) When the radio frequency carrier is amplitude modulated, modulation shall be sufficient to provide effective communication, but shall not exceed one hundred percent on peaks.

(c) When the radio frequency carrier is frequency modulated, the positive or the negative frequency deviation arising from modulation plus the deviation of the carrier from the assigned frequency due to frequency instability shall not exceed one-half the assigned channel width.

§ 16.64 *Frequency stability.* (a) A Railroad Radio Service permittee or licensee shall maintain the carrier frequency of each authorized transmitter within the following percentage of the assigned frequency, except as provided in paragraph (b) of this section:

	Percent
(1) Below 50 Mc-----	0.01
(2) Above 50 Mc-----	0.005

(b) The requirements of paragraph (a) of this section shall not apply to any mobile or portable station or transmitter unit thereof when operated with less than three watts plate power input to the final radio stage. For such equipment, compliance with the requirements of § 16.63 regarding channel width and modulation is sufficient.

§ 17.142 *Frequency stability.* (a) A Utility Radio Service permittee or licensee shall maintain the carrier frequency of each authorized transmitter within the following percentage of the assigned frequency; except as provided in paragraph (b) of this section.

	Percent
(1) Below 50 Mc-----	0.01
(2) Above 50 Mc-----	0.005

(b) The requirements of paragraph (a) of this section shall not apply to any mobile or portable station or transmitter unit thereof when operated with less than three watts plate power input to the final radio stage. For such equipment, compliance with the requirements of § 17.146 regarding channel width and modulation is sufficient.

§ 17.146 *Channel width and modulation.* (a) In the frequency band 30-100 Mc, the width of each channel assigned is 40 kc; in the 100-216 Mc band the channel width is 60 kc. Each frequency which appears on a station license or other instrument of station authorization is the center or mid-point of a frequency channel. All emissions outside of an assigned channel shall be attenuated at least sixty (60) decibels below the maximum level of emissions within the assigned frequency channel.

(b) When the radio frequency carrier is amplitude modulated, modulation shall be sufficient to provide effective communication, but shall not exceed one hundred percent on peaks.

(c) When the radio frequency carrier is frequency modulated, the positive or the negative frequency deviation arising from modulation plus the deviation of the carrier from the assigned frequency due to frequency instability shall not exceed one-half the assigned channel width.

NOTE: Footnote 3 to § 17.146 has been deleted.

[SEAL] FEDERAL COMMUNICATIONS  
COMMISSION,  
T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-209; Filed, Jan. 9, 1947;  
8:50 a. m.]



## NOTICES

## DEPARTMENT OF THE INTERIOR

## Bureau of Land Management

## CALIFORNIA

## CLASSIFICATION ORDER

DECEMBER 18, 1946.

1. Pursuant to the authority delegated to me by the Secretary of the Interior (43 CFR 4.275 (a) (39), 11 F. R. 9080), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. sec. 682a) for leasing, as hereinafter indicated, the following described public lands in the Los Angeles, California, land district, embracing 481.49 acres:

SMALL TRACT CLASSIFICATION No. 110

CALIFORNIA NO. 45

For all of the purposes mentioned in the act except business and camp sites.

SAN BERNARDINO MERIDIAN

T. 5 S., R. 6 E.,

Sec. 4, SW¼;

Sec. 6, lots 1 and 2 of NE¼;

Sec. 8, S½N½.

2. These lands are located in Riverside County, California, on the west side of Coachella Valley about 125 miles southeast of Los Angeles and about 66 miles southeast of Riverside. The area is located in the northern part of the township, at an elevation of about 200 feet, where the surface is nearly level. The township is approximately 5½ miles from Indio and 14 miles from Palm Springs. Both of these towns serve as trade and social centers for large desert areas, and both are readily accessible over State Highway No. 111. Stores, schools and other community services are available. The Southern Pacific railroad tracks cross the northeast corner of the township.

3. This is an arid section of California where the precipitation averages about 5 inches a year. The average winter temperatures vary from 50 degrees to 60 degrees and those of the summer from 80 degrees to 90 degrees. The climate is reported to be especially favorable for the alleviation of bronchial, pulmonary and other disorders. Surface water supplies are limited. Water can be secured from underground sources in the valley portions of the township at depths of from 150 to 250 feet.

4. Pursuant to § 257.8 of the Code of Federal Regulations (43 CFR, Part 257, Cum. Supp., as amended by Circ. 1613, February 27, 1946), a preference right to a lease is accorded to those applicants whose applications (a) were regularly filed, under the regulations issued pursuant to the act, prior to 11:55 a. m. on April 26, 1946, and (b) are for the type of site for which the land subject thereto has been classified. As to such applications, this order shall become effective upon the date on which it is signed.

5. As to the land not covered by the applications referred to in paragraph 4, this order shall not become effective to permit the leasing of such land under the small tract act of June 1, 1938, cited

above, until 10:00 a. m. on February 19, 1947. At that time such land shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for other preference right filings.* For a period of 90 days from 10:00 a. m. on February 19, 1947, to close of business on May 20, 1947, inclusive, to (1) application under the Small Tract Act of June 1, 1938, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Advance period for simultaneous preference-right filings.* All applications by such veterans and persons claiming preference rights superior to those of such veterans filed at or after 11:55 a. m. on April 26, 1946, together with those presented at 10:00 a. m. on January 30, 1947, shall be treated as simultaneously filed.

(c) *Date for nonpreference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on May 21, 1947, any of the land remaining unappropriated shall become subject to application under the small tract act by the public generally.

(d) *Advance period for simultaneous nonpreference-right filings.* Applications under the small tract act by the general public filed at or after 11:55 a. m. on April 26, 1946, together with those presented at 10:00 a. m. on May 1, 1947, shall be treated as simultaneously filed.

6. Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

7. All applications for the lands referred to in paragraphs 4 and 5 which shall be filed in the District Land Office at Los Angeles 12, California, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circ. 324, May 22, 1914, 43 L. D. 254), to the extent that such regulations are applicable. Applications under the small tract act of June 1, 1938, shall be governed by the regulations contained in Part 257 of Title 43 of the Code of Federal Regulations.

8. Lessees under the Small Tract Act of June 1, 1938, will be required, within a reasonable time after execution of the lease, to construct upon the leased land,

to the satisfaction of the Director, Bureau of Land Management, improvements which, under the circumstances, are presentable, substantial, and appropriate for the use for which the lease is issued. Leases will be for a period of five years, at an annual rental of \$5, payable yearly in advance.

9. The land will be leased in tracts of approximately five acres, or aliquot parts thereof, each being approximately 330 x 660 feet, or aliquot dimensions thereof. The tracts should conform in description with the rectangular system of surveys as one compact unit.

10. Preference right leases referred to in paragraph 4 will be issued for the land described in the application, provided the tract is made to conform to the areas and dimensions specified above.

11. Where only one five-acre tract in a ten-acre subdivision is embraced in a preference right application, however, the Acting Manager is authorized to accept applications for the remaining five-acre tract or aliquot parts thereof extending in the same direction so as to fill out the subdivision.

12. All inquiries relating to these lands shall be addressed to the Acting Manager, District Land Office, Los Angeles 12, California.

FRED W. JOHNSON,  
Acting Director.

[F. R. Doc. 47-208; Filed, Jan. 9, 1947;  
8:51 a. m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket 6651]

REVISED FREQUENCY SERVICE ALLOCATIONS  
BETWEEN 1,000 AND 13,000 MEGACYCLES  
TO NON-GOVERNMENT FIXED AND MOBILE  
SERVICES

## ORDER POSTPONING ORAL ARGUMENTS

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 23d day of December 1946;

It is ordered, That the oral argument in the above-entitled matter heretofore scheduled to be held on January 28, 1947, be, and it is hereby, postponed until February 4, 1947.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-234; Filed, Jan. 9, 1947,  
8:46 a. m.]

CESSATION OF FM BROADCAST OPERATIONS  
IN THE BAND OF 42-44 MEGACYCLES

## TEMPORARY ASSIGNMENTS

DECEMBER 20, 1946.

In order to clear the band of 42-44 megacycles for use by the non-government fixed and mobile services to which that band has been allocated, the Commission today announced the following temporary assignments for FM broadcast



stations now operating in the 42-44 megacycle region:

Call letters	Licensor	Present temporary assignment	New temporary assignment	Regular assignment
W2XMN.....	Edwin H. Armstrong, Alpine, N. J.	42.8	44.1	98.9
WINX-FM.....	WINX B'g Co., Washington, D. C.	43.2	44.7	92.9
WMNE.....	The Yankee Network, Inc., Boston, Mass., T-Mt. Washington, N. H.	43.9	45.1	98.1
WBEZ.....	Board of Education, Chicago, Ill.	42.5	44.3	91.7
WBKY.....	University of Kentucky, Lexington, Ky.	42.9	44.3	91.8
WBCE.....	Board of Education, Cleveland, Ohio.	42.5	44.3	90.1
KALW.....	Board of Education, San Francisco, Calif.	42.1	44.3	91.7
WNYE <sup>1</sup> .....	Board of Education, city of New York, Brooklyn, N. Y.	42.1	44.9	91.7
WIUC <sup>1</sup> .....	University of Illinois, Urbana, Ill.	42.9	44.7	91.5

<sup>1</sup> Stations WNYE and WIUC have indicated that they propose to cease operation until their equipment is ready for operation on their regular assignment.

The above changes are effective January 1, 1947, or as soon thereafter as equipment may be modified, and in no event later than February 1, 1947.

The Commission has not yet fixed the date when all FM operation in the 44-50 Mc band must cease and all FM operation be confined to the 88-106 Mc band. As previously announced, the Commission will endeavor to continue the temporary operation of stations in the lower band until FM receivers for the higher band are generally available.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,  
T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-231; Filed, Jan. 9, 1947; 8:46 a. m.]

[Designation Order No. 5]

DESIGNATION OF MOTIONS COMMISSIONER FOR JANUARY 1947

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 26th day of December 1946;

*It is ordered*, Pursuant to § 1.111 of the Commission's rules and regulations, that Paul A. Walker, Commissioner be, and he is hereby designated as Motions Commissioner, for the month of January 1947.

*It is further ordered*, That in the event said Motions Commissioner is unable to act during any part of said period the Chairman or Acting Chairman will designate a substitute Motions Commissioner.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,  
T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-228; Filed, Jan. 9, 1947; 8:47 a. m.]

NEW CITIZENS' RADIOCOMMUNICATION SERVICE

DEVELOPMENT AND CONSTRUCTION OF EQUIPMENT

DECEMBER 20, 1946.

On November 13, 1946 the Commission released Public Notice Number 99764 (11 F. R. 13704) which contained the proposed technical requirements for equipment to be used in the frequency band 460-470 Mc. for the Citizens Radiocommunication Service. It was stated that any comments or suggestions relating to the development or operation of such equipment should be submitted to the Commission at Washington, D. C., not later than December 31, 1946. It now appears that additional time would be desirable. Accordingly, this date has been extended to January 15, 1947.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,  
T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-229; Filed, Jan. 9, 1947; 8:47 a. m.]

[Docket No. 6651]

REVISED FREQUENCY SERVICE-ALLOCATIONS TO NON-GOVERNMENT FIXED AND MOBILE SERVICES IN THE BAND 152-162 MEGACYCLES

ORDER POSTPONING ORAL ARGUMENT

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of December 1946;

*It is ordered*, That oral argument on the above-entitled matter heretofore scheduled to be held on January 27, 1947, be, and it is hereby postponed until 2 p. m. on February 3, 1947.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-233; Filed, Jan. 9, 1947; 8:46 a. m.]

[Docket No. 7896]

COLUMBIA BROADCASTING SYSTEM, INC.

PETITION FOR CHANGES IN RULES AND STANDARDS OF GOOD ENGINEERING PRACTICE CONCERNING TELEVISION BROADCAST STATIONS

DECEMBER 23, 1946.

The Commission today announced that it has ordered a resumption of its color television hearing for the week beginning Monday, January 27, 1947. The hearing will reopen in New York City in a federal court room to be subsequently specified and at that time the petitioner, Columbia Broadcasting System, is requested to be prepared to repeat for the record actual demonstrations of its color television system, similar to those which have been made to the Commission and other interested persons.

All parties are requested to be present at the New York hearing and demonstration, if possible, so that they may have

the opportunity to cross-examine petitioner concerning all phases of the demonstration and to offer any evidence they may have concerning the demonstration.

Any other party to the proceeding desiring to have a demonstration made at the public hearing may do so during the week of January 27. Parties desiring to avail themselves of this opportunity should communicate with the Commission counsel no later than January 6, 1947.

Following those demonstrations the hearing will resume in Washington.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,  
T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-227; Filed, Jan. 9, 1947; 8:47 a. m.]

[Docket No. 6651]

REVISED FREQUENCY SERVICE-ALLOCATIONS TO NON-GOVERNMENT FIXED AND MOBILE SERVICES IN THE BAND 30-40 MEGACYCLES

ORDER POSTPONING ORAL ARGUMENT

At a session of the Federal Communications Commission held at its office in Washington, D. C., on the 23d day of December 1946;

*It is ordered*, That oral argument in the above-entitled matter heretofore scheduled to be held on January 27, 1947, be, and it is hereby postponed until 10 a. m. on February 3, 1947.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-232; Filed, Jan. 9, 1947; 8:46 a. m.]

[Docket 7922, 7923]

NORTHWESTERN THEOLOGICAL SEMINARY AND BIBLE TRAINING SCHOOL

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Northwestern Theological Seminary and Bible Training School, Minneapolis, Minnesota, for construction permits; Docket No. 7922, File No. B4-P-5273; Docket No. 7923, File No. B4-PH-970.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 17th day of December 1946;

The Commission having under consideration the above-entitled application requesting construction permits for a new standard broadcast and FM station to operate at Minneapolis, Minn.

*It is ordered*, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications be, and they are hereby, designated for consolidated hearing at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the



applicant corporation, its officers, directors and members to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to receive service from the proposed stations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed stations would involve objectionable interference with any existing or proposed broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

By the Commission.

[SEAL]

WM. P. MASSING,  
Acting Secretary.

[F. R. Doc. 47-235; Filed, Jan. 9 1947;  
8:46 a. m.]

[Docket No. 7858]

#### MEDICAL DIATHERMY EQUIPMENT AND INDUSTRIAL HEATING EQUIPMENT

##### CONDITIONAL ASSIGNMENT OF FREQUENCY

By public notice of September 20, 1946, the Commission announced proposed rules and regulations governing the operation of medical diathermy equipment and industrial heating equipment and specified November 6, 1946, for oral argument and hearing on such proposed rules and regulations. In its public notice of September 20, 1946, the Commission also stated that in the oral argument and hearing referred to above consideration would be given to the question whether an additional frequency band should be assigned for the operation of medical diathermy equipment and industrial heating equipment in the 3000 megacycle region of the spectrum. By subsequent notice dated October 9, 1946, the said oral argument and hearing was postponed to December 18, 1946, and in a further notice of November 14, 1946, particular attention was called to the fact that consideration would be given to allocation of a frequency in the 3000 megacycle region of the spectrum for industrial, medical and scientific purposes and all interested parties were invited to submit comments and participate in the scheduled oral argument and hearing.

The oral argument and hearing referred to above was held on December 18 and 19, 1946, and upon the basis of the evidence received at that time the Commission has determined that the public interest would be served by a grant of the request for allocation of space in the 3000 megacycle region of the spectrum which would be available for industrial, medical, and scientific purposes. Accordingly, the Commission has adopted the order set out below providing for allocation of the frequency 2450 megacycles for such purposes and requiring that emissions radiated in the course of operation on that frequency be confined within the range 2400-2500 megacycles.

The regulations under consideration in Docket 7858 with respect to operation of industrial heating and medical diathermy equipment in the 13, 27 and 40 megacycle regions of the spectrum are inapplicable to this operation on 2450 megacycles and detailed regulations with respect to operation on that frequency have not yet been promulgated. However, rather than postpone the availability of the frequency in question for general use until such standards have been determined, the Commission is making the frequency 2450 megacycles available for immediate non-exclusive use without a license for industrial, medical, and scientific purposes in compliance with certain conditions set forth in the order. It should be noted particularly that operation at this time rather than at a later date after the promulgation of engineering standards is expressly made subject to such regulations as the Commission may in the future decide to be appropriate with respect to operation upon the frequency in question. Persons who make use of that frequency now are accordingly placed on notice that such regulations may be adopted and be applicable to their operation.

At a meeting of the Federal Communications Commission in its offices in Washington, D. C. on December 26, 1946,

The Commission having under consideration a request for assignment of a frequency in the 3000 megacycle region of the radio spectrum for industrial, medical, and scientific purposes without a license; and

The Commission on December 18 and 19, 1946, having held a public hearing, after due notice to all interested parties, to receive evidence upon the question whether such a band should be assigned for such purposes; and

The Commission having considered the evidence presented during such hearing and having determined upon such consideration that the public interest, convenience, and necessity would be served by such an allocation;

Now, therefore, *It is hereby ordered*, That the frequency 2450 megacycles be, and the same is hereby, assigned, for industrial, medical, and scientific purposes upon a non-exclusive basis. Operation for such purposes upon the frequency 2450 megacycles may be conducted without a license only upon the following conditions:

(1) The emissions of radiofrequency energy resulting from such operation shall be confined to that portion of the spectrum between 2400-2500 megacycles.

(2) The energy radiated and the band width of emissions of all industrial, medical and scientific equipment operated as provided for herein shall be reduced to the greatest extent practicable. No interference shall be caused to authorized communication services from spurious or harmonic radiations. In the event of such interference from spurious or harmonic radiations, operation of the equipment causing such interference shall cease and shall not be resumed until steps necessary to eliminate such interference have been taken.

(3) Operation upon the assigned frequency as specified above shall be subject

to such future regulations as may be found by the Commission to be appropriate.

By direction of the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-230; Filed, Jan. 9, 1947;  
8:55 a. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-9, 59-12]

AMERICAN GAS AND ELECTRIC CO. ET AL.

### NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of January A. D. 1947

In the matter of American Gas and Electric Company, Atlantic City Electric Company, Deepwater Operating Company, South Pennsgrove Realty Company, File Nos. 54-9 and 59-12.

The Commission having heretofore on December 26, 1945 entered its order pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935, directing American Gas and Electric Company ("American"), a registered holding company, to limit the operations of its holding company system by severing its relationships with Atlantic City Electric Company ("Atlantic City"), Deep Water Operating Company ("Deep Water"), South Pennsgrove Realty Company ("Pennsgrove"), The Scranton Electric Company ("Scranton") and West Pittston-Exeter Railroad Company ("Pittston"):

Notice is hereby given that on December 20, 1946, American filed with this Commission an application requesting a one-year extension of time pursuant to section 11 (c) of the act within which to comply with the Commission's order of December 26, 1945 with respect to divestment of Atlantic City, Deep Water, and Pennsgrove.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application and that said application shall not be granted except pursuant to the further order of the Commission:

*It is hereby ordered*, That a hearing be held upon said application on January 21, 1947 at 11:00 a. m., e. s. t. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held.

*It is further ordered*, That Allen McCullen or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.



*It is further ordered,* That the Secretary of the Commission shall serve by registered mail a copy of this order on the applicant herein, and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER.

*It is further ordered,* That, without limiting the scope of the issues presented by said application, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether sufficient reason can be shown why the Commission's order of December 26, 1945 with respect to the divestment of Atlantic City, Deep Water and Pennsgrove has not been complied with.

(2) Whether and to what extent a further extension of time for compliance with said order of December 26, 1945 is necessary or appropriate in the public interest or for the protection of investors and consumers.

(3) Whether in the event the application shall be granted in whole or in part, it is necessary to impose terms and conditions to assure compliance with the order of December 26, 1945.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 47-212; Filed, Jan. 9, 1947;  
8:50 a. m.]

[File Nos. 59-88, 59-9]

PHILADELPHIA CO. ET AL.

ORDER POSTPONING HEARING AND EXTENDING  
TIME TO ANSWER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3d day of January 1947.

In the matter of Philadelphia Company and certain of its subsidiary companies and Standard Power and Light Corporation and Standard Gas and Electric Company, Respondents, File No. 59-88; Standard Power and Light Corporation, Standard Gas and Electric Company and subsidiary companies thereof, Respondents, File No. 59-9.

The Commission having on the 5th day of December 1946, pursuant to sections 11 (b) (1) and 11 (b) (2) of the Public Utility Holding Company Act of 1935, issued a notice of and order for hearing in the above-captioned consolidated proceedings and having ordered that such hearing be held at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, on the 21st day of January, 1947 and having further ordered that answers herein be filed on or before fifteen days prior to the date set for hearing; and

Philadelphia Company and certain of its subsidiary companies and Standard Gas and Electric Company, respondents herein, having on January 2, 1947 filed petitions requesting that the Commission extend for a period of at least sixty days the time for filing answers herein, and postpone the date for hearing for a

period of at least thirty days subsequent to the date to be fixed for filing answers, and Standard Power and Light Corporation, another respondent herein, having also requested an extension of time for the filing of its answer herein; and

It appearing to the Commission that the various petitions do not show sufficient cause for the granting of the continuance for the periods requested, but that it is appropriate in the public interest that some extension of time be granted for the filing of answers and that the said hearing be postponed to extent hereinafter ordered;

*It is ordered,* That the time for filing answers in this proceeding be and is hereby extended until February 10, 1947, and the date for hearing in this matter be and is hereby postponed to February 25, 1947, at the same time and place heretofore designated.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 47-213; Filed, Jan. 9, 1947;  
8:50 a. m.]

OFFICE OF TEMPORARY  
CONTROLS

Civilian Production Administration

[C-470]

ALBERT MARIANO

CONSENT ORDER

Albert Mariano, North Miles Road, Moreland Hills Village, Ohio, is charged by the Civilian Production Administration with violating Veterans' Housing Program Order 1 in that in August, 1946, he began construction and thereafter carried on and participated in the construction of a one and a half story garage and warehouse building located on North Miles Road, Moreland Hills Village, Ohio, at a cost in excess of \$1,000 without authorization of the Civilian Production Administration.

Albert Mariano admits the violation as charged and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Albert Mariano, the Regional Compliance Director and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered,* That

(a) Neither Albert Mariano, his successors and assigns, nor any other person shall do any further construction on the commercial structure located on North Miles Road, Moreland Hills Village, Ohio, including the putting up, completing or altering the garage and warehouse structure located on said premises unless hereafter specifically authorized in writing by the Civilian Production Administration.

(b) Albert Mariano shall refer to this order in any application or appeal which he may file with the Civilian Production Administration for priorities assistance or for authority to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve Albert Mari-

ano, his successors and assigns, from any provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 8th day of January 1947.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 47-287; Filed, Jan. 8, 1947;  
4:31 p. m.]

FEDERAL POWER COMMISSION

[Docket No. G-687]

CONSOLIDATED GAS UTILITIES CORP.

NOTICE OF FINDINGS AND ORDER ISSUING  
CERTIFICATE OF PUBLIC CONVENIENCE  
AND NECESSITY

JANUARY 7, 1947.

Notice is hereby given that, on January 6, 1947, the Federal Power Commission issued its findings and order issuing certificates of public convenience and necessity, entered January 3, 1947, in the above-designated matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-221; Filed, Jan. 9, 1947;  
8:48 a. m.]

[Docket No. G-774]

PHEEUS PIPE LINE CO.

NOTICE OF FINDINGS AND ORDER ISSUING  
CERTIFICATE OF PUBLIC CONVENIENCE AND  
NECESSITY

JANUARY 7, 1947.

Notice is hereby given that, on January 7, 1947, the Federal Power Commission issued its findings and order issuing certificate of public convenience and necessity, entered January 3, 1947, in the above-designated matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-220; Filed, Jan. 9, 1947;  
8:48 a. m.]

[Docket No. G-788]

HOPE NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDER ISSUING  
CERTIFICATE OF PUBLIC CONVENIENCE  
AND NECESSITY

JANUARY 7, 1947.

Notice is hereby given that, on January 6, 1947, the Federal Power Commission issued its findings and order issuing certificate of public convenience and necessity, entered January 3, 1947, in the above-designated matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-223; Filed, Jan. 9, 1947;  
8:48 a. m.]